

ing less dubiously. Nor should we forget that if the United States has made no other invaluable contribution to the welfare of the world, she has made one in the labors and thoughts of those great men—Washington, Adams, Hamilton, Jefferson, Madison, Marshall, Lincoln, Cleveland, Roosevelt, and Wilson—to whom it was given to create or maintain, with the aid of their less-distinguished fellow workers, a commonwealth without monarch, noble, or pontiff, and based upon the popular will alone, which has in less than a century and a half reached a pitch of actual wealth and potential power unexampled in the history of mankind.

Such is the history that this meeting is intended to promote. It is certainly one to gratify the patriotism of every true American. To search out, assemble, edit, and publish all manuscript materials relating to it whether in the form of books, documents, essays, journals, diaries, letters, or other writings to clear up all points of controversy, affecting it, which have never been satisfactorily settled, to free it of the perversions and blemishes which have been imposed upon it by partisanship or incompetent treatment; to correct and perfect it as it deserves, and to make every American feel, so far as possible, that it is the noble and admirable thing that it is; these are indeed tasks which should be encouraged and assisted by every means in our power, and they are tasks that no agency, of which I know, is so likely successfully to forward as the American Historical Association, an association conducted by trained historical students, and pledged by the very nature of its organization and aims to the stern spirit of historic truth without which history had better not be written at all.

In conclusion, let me say that I trust that this occasion will bear good fruit, that it will give an additional impulse to the movement which is now on foot to obtain an endowment of not less than \$1,000,000 for the work of the American Historical Association, and that hereafter, it will be accounted not the least of the influences by which that result shall have been achieved. Every month or so, some wealthy citizen of the United States dies, leaving a million or more of dollars for the promotion of human well-being, in one form or another. Surely, among the vast host of individuals, who people the land, to which our forefathers gave so freely of their blood and treasure, enough can be found to come forward, at this time, and to assure the completion of the endowment fund which I have just mentioned. Then, and not until then, shall we be able to say to the beauteous muse of American history, in the words of Drummond's invocation, to bright Phoebus:

"Spread forth thy golden hair
In larger locks than thou wast wont before."

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened.

RECESS

Mr. CURTIS. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 41 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 2, 1927, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 1, 1927

UNDERSECRETARY OF THE TREASURY

OGDEN L. MILLS, of New York, N. Y., to be Undersecretary of the Treasury, in place of Garrard B. Winston, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 1, 1927

UNDERSECRETARY OF THE TREASURY

OGDEN L. MILLS to be Undersecretary of the Treasury.

POSTMASTERS

FLORIDA

William R. Wright, Coronado Beach.
Matye E. Mills, Cross City.
Royal W. Storrs, De Funiak Springs.
Archibald I. Nearing, Marianna.

NORTH CAROLINA

Wade H. Kinlaw, Lumberton.

VERMONT

William H. Lang, Beecher Falls.
Lester E. Boyce, Ludlow.
Herbert L. Bailey, Putney.
Vernie S. Thayer, Readsboro.
Ray H. Dearborn, South Fairlee.

LXVIII—171

HOUSE OF REPRESENTATIVES

TUESDAY, February 1, 1927

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, we pause in Thy holy presence; may each one feel that he is remembered. We thank Thee for earthly labor. May we perform it diligently, faithfully, and patiently. Clothe us with cleanliness, and reveal unto us the secret truths out of Thy Holy Word. Linger with us like a beloved friend loath to leave. Revive in us our best energies, and rekindle upon the hearthstones of our hearts a blessed passion for the hidden things of God. O bless our restless spirits, and help them to yearn for Thee. At evening time give us peace and satisfaction. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

FARM-RELIEF LEGISLATION

Mr. SNELL, from the Committee on Rules, reported House Resolution 405 (Report No. 1907), providing for the consideration of H. R. 15474, to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities, which was referred to the House Calendar and ordered printed.

AUTHORIZING SUBCOMMITTEE OF COMMITTEE ON DISTRICT OF COLUMBIA TO ISSUE SUBPOENAS, ETC.

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent for the present consideration of House Resolution 350, which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 350

Resolved, That the subcommittee of the Committee on the District of Columbia, now engaged, pursuant to a committee resolution, in an investigation of the government of the District of Columbia, be authorized to issue subpoenas, to send for persons and papers, to administer oaths, and to employ such clerical and other assistance as may be necessary.

That the expenses of the same, not to exceed \$2,500, shall be paid out of the contingent fund of the House upon vouchers approved by the chairman of the House Committee on the District of Columbia.

With the following committee amendment:

Page 1, line 8, strike out the figures "\$2,500" and insert in lieu thereof the figures "\$1,500."

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the resolution which the Clerk has reported. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, do I understand that this is presented as a privileged report or simply as a unanimous-consent request?

The SPEAKER. The gentleman from New York asks unanimous consent for its present consideration.

Mr. SNELL. Mr. Speaker, a part of this resolution at least should go to the Committee on Rules, which committee has jurisdiction over the matter of granting additional authority to the Committee on the District of Columbia. I would not want this to be taken as a precedent on the part of the House that the Committee on Rules intends to yield to this sort of a proposition coming from the Committee on Accounts. With that understanding, I have no objection to the resolution being considered at this time.

Mr. CHINDBLOM. Mr. Speaker, further reserving the right to object, will the gentleman kindly tell us the necessity for this resolution?

Mr. MACGREGOR. Mr. Speaker, I yield to the gentleman from Vermont [Mr. GIBSON], the chairman of the subcommittee of the Committee on the District of Columbia.

Mr. GIBSON. Mr. Speaker, if I may be indulged for a moment to state what we are doing, I shall do so very briefly. This subcommittee was authorized by the House Committee on the District of Columbia to make a survey of the government of the District of Columbia. This work is progressing with a view of finding out if conditions exist which need a remedy, and attempting to apply a remedy through our recommendations. Take, for instance, the office of the recorder of deeds. We find the recorder of deeds is 15 months behind in the recording of real-estate transfers that are put into his office for record. We have made recommendations, with the approval of the recorder of deeds and the Committee on Appropriations, to remedy that trouble, with recommendations which will result in a saving of \$30,000 a year to the District in perpetuity and

make the work current. Answering the gentleman's question directly, the Government is about to acquire some property along Pennsylvania Avenue for building purposes. Our investigation shows a peculiar condition of affairs existing in connection with the selection of juries in condemnation proceedings. I hope that we will not use a dollar of this money, but we do want the authorization so that we may subpoena witnesses and have the money with which to pay the witnesses, in order that we may find a way to break the system that threatens to get millions of dollars out of the Government through this condemnation proceeding.

Mr. CHINDBLOM. The gentleman and his committee feel that they need compulsory process?

Mr. GIBSON. We feel that we may need compulsory process in dealing with that situation.

Mr. CHINDBLOM. The committee now has authority to swear witnesses.

Mr. GIBSON. Yes.

Mr. CHINDBLOM. And it is only compulsory process and expenditure that is involved.

Mr. GIBSON. Yes.

Mr. CHINDBLOM. I shall not object.

Mr. SNELL. Mr. Speaker, I give notice at this time that I shall be obliged to object to any resolution of this character in the future. I shall not object to this.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The amendment was agreed to and the resolution as amended was agreed to.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa, from the Committee on Appropriations, reported the bill (H. R. 16863, Rept. No. 1909) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes, which was read a first and second time, and with the accompanying report, was referred to the Committee of the Whole House on the state of the Union and ordered printed.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. FUNK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1928, and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill.

The question was taken.

Mr. KINCHELOE. Mr. Speaker, my colleague, the gentleman from Kentucky [Mr. JOHNSON], who soon will have served 20 years in Congress, and is about to leave us, is to make an address on a very interesting bill, in which the House is much interested, dealing with a subject about which he knows more I think than perhaps any other Member. Therefore, I object to the vote, and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Kentucky objects to the vote and makes the point of order that there is no quorum present. It is evident that there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the District of Columbia appropriation bill.

The question was taken; and there were—yeas 345, nays 0, not voting 88, as follows:

[Roll No. 22]

YEAS—345

Abernethy	Aswell	Black, N. Y.	Briggs
Ackerman	Ayres	Black, Tex.	Brigham
Adkins	Bacharach	Bland	Browne
Aldrich	Bachmann	Blanton	Browning
Allen	Bacon	Bloom	Brumm
Allgood	Bankhead	Boles	Buchanan
Almon	Barbour	Bowles	Bulwinkle
Andresen	Beck	Bowling	Burdick
Andrew	Beedy	Bowman	Burtness
Appleby	Beers	Box	Burton
Arnold	Begg	Brand, Ga.	Busby

Byrns	Gifford	McClintic	Simmons
Campbell	Gilbert	McDuffie	Sinclair
Canfield	Glynn	McFadden	Sinnot
Cannon	Goodwin	McKeown	Smith
Carew	Green, Fla.	McLaughlin, Nebr.	Snell
Carpenter	Green, Iowa	McLeod	Somers, N. Y.
Carrs	Greenwood	McReynolds	Sosnowski
Carter, Calif.	Griest	McSwain	Speaks
Carter, Okla.	Griffin	McSweeney	Spearing
Chalmers	Hale	MacGregor	Sproul, Kans.
Chapman	Hall, Ind.	Magee, N. Y.	Stalker
Chinblom	Hall, N. Dak.	Major	Stegall
Christopherson	Hammer	Mansfield	Stevenson
Clague	Hardy	Martin, Mass.	Strong, Pa.
Cochran	Harrison	Menges	Summers, Wash.
Cole	Hastings	Merritt	Summers, Tex.
Collier	Haugen	Michener	Swank
Collins	Hawley	Miller	Swing
Colton	Hayden	Milligan	Taber
Connally, Tex.	Hersey	Mooney	Taylor, Colo.
Connelly	Hickey	Moore, Ky.	Taylor, Tenn.
Cooper, Wis.	Hill, Ala.	Moore, Ohio	Taylor, W. Va.
Corning	Hill, Md.	Moore, Va.	Temple
Cox	Hill, Wash.	Morehead	Thatcher
Coyle	Hoch	Morgan	Thomas
Crisp	Hogg	Morin	Thompson
Crosser	Holaday	Morrow	Thurston
Crowther	Hooper	Nelson, Me.	Tillman
Crumacker	Houston	Nelson, Mo.	Tilson
Cullen	Howard	Newton, Minn.	Timberlake
Dallinger	Huddleston	Norton	Tracy
Darrow	Hudson	O'Connell, N. Y.	Tucker
Davis	Hudspeth	O'Connell, R. I.	Tydings
Deal	Hull, Tenn.	O'Connor, La.	Underhill
Denison	Hull, William E.	Oldfield	Underwood
Dickinson, Iowa	Irwin	Oliver, Ala.	Updike
Dickinson, Mo.	Jacobstein	Oliver, N. Y.	Upshaw
Dickstein	James	Parker	Vale
Dominick	Jeffers	Parks	Vare
Doughton	Jenkins	Peery	Vestal
Douglass	Johnson, Ind.	Perkins	Vincent, Mich.
Dowell	Johnson, Ky.	Perman	Vinson, Ga.
Drane	Johnson, Tex.	Porter	Vinson, Ky.
Driver	Johnson, Wash.	Pou	Voigt
Dyer	Jones	Pratt	Wainwright
Eaton	Kahn	Purnell	Walters
Edwards	Kearns	Quin	Warren
Elliott	Keller	Ragon	Wason
Ellis	Kelly	Rainey	Watres
Eslick	Kemp	Ramseyer	Watson
Esterly	Kerr	Rankin	Weaver
Evans	Ketcham	Ransley	Wefald
Fairchild	Kiefner	Rathbone	Welch, Calif.
Faust	Kless	Rayburn	Welsh, Pa.
Fenn	Kincheloe	Reece	Wheeler
Fisher	Kirk	Reed, Ark.	White, Kans.
Fitzgerald, W. T.	Knutson	Reid, Ill.	Whitehead
Fletcher	Kopp	Robinson, Iowa	Whittington
Fort	Kunz	Robison, Ky.	Williams, Ill.
Foss	Kurtz	Rogers	Williams, Tex.
Fredericks	Kvale	Rowbottom	Williamson
Free	LaGuardia	Ruby	Wilson, La.
Freeman	Lampert	Rutherford	Wilson, Miss.
French	Lanham	Sabath	Winter
Frothingham	Lankford	Sanders, Tex.	Wolverton
Fulmer	Larsen	Sandlin	Wood
Funk	Lazaro	Schaefer	Woodruff
Furlow	Lea, Calif.	Schneider	Woodrum
Gallivan	Leatherwood	Scott	Wright
Gambrell	Leavitt	Sears, Fla.	Wurzback
Garber	Lehlbach	Sears, Nebr.	Wyant
Gardner, Ind.	Lineberger	Seger	Yates
Garner, Tex.	Linthicum	Shallenberger	Zihlman
Garrett, Tenn.	Lowrey	Shreve	
Garrett, Tex.	Lozier		
Gibson	Luce		

NOT VOTING—88

Anthony	Drewry	Lyon	Reed, N. Y.
Arentz	Englebright	McLaughlin, Mich.	Romjue
Auf der Heide	Fish	McMillan	Sanders, N. Y.
Bailey	Fitzgerald, Roy G.	Madden	Smithwick
Barkley	Frear	Magee, Pa.	Sproul, Ill.
Bell	Gasque	Magrady	Stedman
Berger	Golder	Manlove	Stephens
Bixler	Goldsborough	Martin, La.	Stobbs
Boylan	Gorman	Mead	Strong, Kans.
Brand, Ohio	Graham	Michaelson	Strother
Britten	Hadley	Mills	Sullivan
Butler	Hare	Montague	Swartz
Celler	Hull, Morton D.	Montgomery	Sweet
Cleary	Johnson, Ill.	Murphy	Swoope
Connolly, Pa.	Johnson, S. Dak.	Nelson, Wis.	Taylor, N. J.
Cooper, Ohio	Kendall	Newton, Mo.	Tincher
Cramton	Kindred	O'Connor, N. Y.	Tinkham
Curry	King	Patterson	Tolley
Davenport	Lee, Ga.	Peavey	Weller
Davey	Letts	Phillips	White, Me.
Dempsey	Lindsay	Prall	Wingo
Doyle	Little	Quayle	Woodyard

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. Madden with Mr. Bell.
 Mr. Anthony with Mr. Kindred.
 Mr. White of Maine with Mr. McMillan.
 Mr. McLaughlin of Michigan with Mr. Wingo.
 Mr. Butler with Mr. Stedman.
 Mr. Mills with Mr. Quayle.
 Mr. Connolly of Pennsylvania with Mr. Montague.
 Mr. Newton of Missouri with Mr. Lindsay.
 Mr. Patterson with Mr. Hare.

Mr. Dempsey with Mr. Gasque.
 Mr. Stephens with Mr. Drewry.
 Mr. Graham with Mr. Cleary.
 Mr. Johnson of Illinois with Mr. Barkley.
 Mr. Sweet with Mr. Auf de Heide.
 Mr. Kendall with Mr. Romjue.
 Mr. Johnson of South Dakota with Mr. Sullivan.
 Mr. King with Mr. Goldsborough.
 Mr. Strother with Mr. Smithwick.
 Mr. Sproul of Illinois with Mr. Boylan.
 Mr. Phillips with Mr. Davey.
 Mr. Swoope with Mr. Kemp.
 Mr. Manlove with Mr. Lee of Georgia.
 Mr. Bailey with Mr. Mead.
 Mr. Arentz with Mr. Little.
 Mr. Brand of Ohio with Mr. Celler.
 Mr. Cooper of Ohio with Mr. Martin of Louisiana.
 Mr. Golder with Mr. Doyle.
 Mr. Michaelson with Mr. O'Connor of New York.
 Mr. Britten with Mr. Lyon.
 Mr. Murphy with Mr. Weller.
 Mr. Curry with Mr. Berger.
 Mr. Reed of New York with Mr. Peavey.
 Mr. Stobbs with Mr. Frear.
 Mr. Roy G. Fitzgerald with Mr. Nelson of Wisconsin.

The result of the vote was announced as above recorded.
 The doors were opened.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16800, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16800) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of such District for the fiscal year ending June 30, 1928, and for other purposes.

The CHAIRMAN. When the committee rose last evening the gentleman from Illinois had 1 hour and 56 minutes of his time remaining, and the gentleman from New York [Mr. GRIFFIN] 1 hour and 34 minutes.

Mr. FUNK. Mr. Chairman, I yield 30 minutes to the gentleman from Kentucky [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of Kentucky. Mr. Chairman, it is not my purpose to address myself to the pending appropriation bill; instead I wish to confine my remarks, as nearly as possible, to a discussion of what we know as the "whisky bill" now before the Ways and Means Committee of this body. The bill was introduced by Mr. GREEN of Iowa on December 22, 1926. For that bill another, with many amendments, is the one that is really being considered by the committee. That is marked "Confidential, Committee Print No. 1 of the House of Representatives (15601)."

Before I reach the bill for discussion I find the temptation to be irresistible to depart somewhat and make some comment upon an article which I saw yesterday afternoon in the Washington Times. The conclusion of that article says:

Mr. Wayne B. Wheeler, counsel of the Anti-Saloon League, is reported as having said that the dispensing with the undercover men will make it harder to enforce the law, and that the refusal would show there are men in Congress who would wreck any kind of enforcement simply because of their prejudice to prohibition.

I sincerely trust that the reflection upon this membership attributed to him was not warranted by what he said and that he has been misquoted. I have been here a score years. I know that this is an honorable body of men; that they will not violate their constitutional oaths; that they will not violate the laws of the land in an attempt to defeat prohibition or any other measure. Relative to this membership, may I read what I said about four years ago regarding it:

Here have come noble characters; here have come the intellectual geniuses of our Nation; here have come sweet-tempered souls; here have come those to whom the distressed, whether individual or nation, may not appeal in vain.

Membership here never was, is not, never will be, the goal of the sordid; here integrity reigns; here good purposes prevail; here laudible ambition aspires; here patriotism is in absolute control.

For membership here fortune is scorned, envy is challenged, detraction endured, slander and libel braved, even violence defied. Yet it has become the fashion for little men to ridicule and abuse a body which would neither be enlightened nor purified if made up entirely of them. [Applause.]

My observation of those who have come and gone during a score of years, a study of those who now are here, tells me that if during that long time a man dishonest at heart has been elected to this body, he has upon assuming its obligations left that heart outside and brought within only his best judgment and a feeling of loyalty to his coun-

try and gratitude to those who honored him and put their trust in him.

An official entrance here inspires one with the feeling that, no matter what the temptations may be, he must not only be correct, but he must so conduct himself that even the envious and malicious may not point the finger of even unwarranted suspicion.

The newspaper article to which I have just referred recites some statements alleged to have been made by General Andrews, who is at the head of the Prohibition Enforcement Unit.

It says:

General Andrews apparently was angered at the reaction in Congress to his plan for the continued use of undercover agents.

Then further it says also in quotation marks:

Unless the whisky corporation bill is passed I shall call a conference of Government officials to prepare for the issuance of permits for the manufacture of medicinal whisky. This, of course, would be highly expensive to supervise and open the way for the greater diversion of liquor.

The bootleggers, apparently, are the only people who appreciate the importance of the whisky bill.

There is no good medicinal whisky being manufactured abroad.

He threatened, so the Times said, to do two things after March 4 if Congress fails to act: Issue permits to distilleries all over the country to manufacture medicinal whisky.

Invoke old revenue laws to confiscate buildings in which moonshine liquor is made.

So, if General Andrews be correctly quoted, he will kick prohibition into smithereens unless Congress adopts his pet measure to give all the profits from the liquor traffic to his preferred half dozen men.

Further, it seems that General Andrews will be angered into actually enforcing the laws now on the statute books unless his chosen handful of former distillers be given a monopoly in making the Nation wet again.

I can not pass without comment his statement that—

The bootleggers apparently are the only people who appreciate the importance of the whisky bill.

Why, may I ask, should the bootleggers not appreciate it? Ultimately they will own General Andrews's corporation if they fail to own it immediately after two years.

Then, may I ask, why General Andrews's bill provides for the importation of whisky if, as he says—

* * * no good medicinal whisky is being manufactured abroad.

In other words, unless these half dozen men are given the exclusive right to manufacture all the whisky to be sold in the United States he is going to open up hundreds of big distilleries throughout the length and breadth of this land.

It may be well for Members to understand the viewpoint from which I criticize General Andrews's bill. Forty-eight years ago, notwithstanding the fact that I live in the biggest, straight whisky producing county in the United States, I cast my first vote to close the saloons in my home town. [Applause.] From that day to this no prohibition measure has come before me that I did not support. I voted for the eighteenth amendment; I voted for the Volstead Act; and I would vote for them again if I had the opportunity. [Applause.]

So, gentlemen, I wish you to understand that I am not talking against this bill from the standpoint of any interest in whisky. This bill is properly named a whisky bill. If enacted into law, it is going to fill the United States with whisky as it has not been since the war-time prohibition came.

First, in dissecting the bill itself, let me invite your attention to the fact that under this bill five kinds of liquor may be handled by this favored corporation: First, whisky in bond upon which the tax has not been paid (p. 18, line 20); second, whisky in warehouses upon which the tax has been paid (p. 18, line 20); third, whisky anywhere in the United States, no matter in whose hands it may be, upon which the tax has been paid (p. 21, line 12); fourth, imported whisky (p. 23, line 1); and fifth, whisky, bootleg or moonshine whisky (p. 21, line 13).

I make some broad statements; but I am prepared, if challenged, to prove the truth and correctness of every statement I have made by quotations from the bill itself. Just here I would like to ask the stenographer, in having my remarks typewritten, that extra space be left between the lines in order that in that extra space, when I come to revise my remarks, I may, in parenthesis, cite the page and line to warrant any statement I may make about the bill.

Reverting once more to this membership we hear, you know, that they are dissipated; that they get drunk. No doubt to-day you will find a convicted bootlegger, a white-slave trader, a moonshiner, all in one person, standing at yonder door, sending in for Members in order to be seen

with them so that when he is arrested and convicted and sentenced to jail for moonshining he may parade himself in the newspapers by saying that he will get off; that too many Senators and Representatives have been buying whisky from him, when in fact he may have sold only to employees. He has been convicted of bootlegging from Texas to the District of Columbia. He had the impudence not long ago to address me. To his face I used an epithet that I can not use in this presence. But I may say that, in my opinion, if this fellow's pedigree were analyzed, at the very first cross, the top cross, you would find a reckless, roving, dissolute canine, of the female persuasion. Yet why this miserable creature is not driven from the Capitol I do not know. He is the man who is doing this body more harm than anybody else. In the 20 years I have been in this House I am able to count 27 Members who have been in my residence down in Kentucky. I invited each one of them to take a drink, but all of them declined, and all of them were sincere, because none of them knew that I did not have any liquor to give to them. [Applause.]

Now, further, as to the bill. The first thing that we find in it worthy of notice is the definition of "medicinal spirits," spirits to be used for medicine. The definition is: "The term medicinal spirits means whisky, brandy, rum, gin, and other distilled spirits, except alcohol."

That means that any distilled spirits, no matter by whom or when or under what circumstances distilled, may be baled out as medicine by this gigantic corporation. This corporation of a chosen few is to be subsidized with the people's money to the extent of \$35,000,000 (p. 12, lines 7 to 14).

This bill provides that the Treasurer of the United States may purchase the gold notes of this corporation from money in the Treasury that belongs to the people (p. 14, lines 13 to 19) without giving even a 5-cent piece as security to the United States Government that they will ever repay the loan. But they go further than that in making it perfectly clear that they intend to escape liability if they can. They provide that the stockholders shall not be liable for a penny of the debts of the corporation. (See p. 11, lines 1, 2.) They go further than that in two different places in the bill, and provide that in case of a judgment against the corporation none of its property shall be seized or sold or taken from them unless it is something for which they, in their opinion, have no use. (See p. 18, lines 1 to 7.)

The \$35,000,000 that they are to get from the Treasury is to be gotten upon what the bill terms "gold notes." It does not say they are notes to be paid in gold; but it calls them "gold notes," and I am ready to believe—and I think I can show—that they really and genuinely contemplate paying that debt in gold bricks if they get the money out of the Treasury.

For the purposes of taking over all kinds of whisky they invoke the law of eminent domain. The bill gives this corporation the right to acquire whisky by condemnation. (See p. 27, lines 5 to 14.)

General Andrews said before the committee that it was not the intention that the Secretary of the Treasury should buy these gold notes; that that language was put in the bill to induce the public to buy them by inspiring confidence. That was the substance of what he said before the committee. Yes; they contemplate selling to the public.

The following language in the bill shows that—

The issuance and sale by the corporation, and the sale by dealers or other persons, of its stock or notes shall not be subject to regulation by any State under laws relating exclusively to the prevention of fraud or imposition in the issuance or sale of securities. (P. 34, lines 4 to 9.)

So if a Secretary of the Treasury were to tell the corporation to go into the States first in order to sell their unsecured, wildcat paper before he would buy it with public money the "blue sky" laws would be suspended, provided the Congress has the right to annul State laws.

The bill proposes by that provision to perpetrate a fraud on the people in the States, notwithstanding that the States try to protect them. Of course, those who would go into the States to sell this unsecured stock would cite the provision in the bill indicating that the securities were good enough for the Government to buy.

Why do they want to permit this corporation to import whisky? If whisky is to be made—and I do not think it should be—why not make it with American labor?

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GRIFFIN. Mr. Chairman, I yield the gentleman 15 additional minutes.

Mr. JOHNSON of Kentucky. If you are going to make whisky, why not make it out of corn grown in the United

States? [Applause.] There is the great northwestern Corn Belt. When we made whisky in Kentucky we bought our corn in the Northwest because it contained more starch than Kentucky corn. By this bill they provide, or the effect of it is, that distilleries may be started in Canada or elsewhere—whisky made with Canadian labor—whisky made of Canadian corn, and then brought into this country and sold.

Down at the Women's Christian Temperance Union the other day the national president of that wonderfully great society said it had been explained to her that under this bill there would be but two distilleries in the United States, one to make rye whisky and the other to make Bourbon. I had no opportunity to say so then, but I will say now that the bill does not mention either rye or Bourbon. More camouflaged stuff has been given to the press and through propaganda regarding this bill in order to deceive the people than you can shake a stick at.

We hear much about the Coast Guard and its wonderful and successful efforts in breaking up rum row, and beating back the whisky exporters of other nations. Do you know that by this bill this favored whisky corporation seeks the right to export whisky from the United States to other countries (p. 32, line 11), and when they do that they do not pay any tax on it, because under the Constitution there can be no tax on an export.

In 1895 or 1896, along about there, when the distilleries in Kentucky had their whisky all forced out of bond they could not get the money with which to pay the tax; then they shipped their whisky to Bremen free of tax, and there sold it to the European nations. By this bill they seek to compete with "rum row" out here off our own shore, with all these ships coming in day and night bringing whisky. The good women of whom I have just spoken raise up their voices in prayer and ask that importations from other lands to our shores be stopped; that other nations stop undertaking to deluge our country with their whisky. This bill seeks to give to this whisky corporation the right to make the people of other nations drunk. If their sisters on yonder side of the seas could know of this attempt would they not uplift their voices in fervent prayer asking their sisters on this side to stop that thing, that our whisky might not go to them to debauch their girls and boys?

I wish I had time to fully discuss this bill. Next, let me show you how much money they expect to make out of it. They say there are 15,000,000 gallons of whisky in the United States. Either the Federal Treasury or the suckers out in the States are to furnish the unsecured \$35,000,000 with which this business is to be started. With that money they are to buy up whisky; and then, under the bill, nobody except this concern may sell (p. 30, lines 22 to 24); then, they can sell at their own price (p. 32, lines 1, 2), but this bill provides that they shall immediately, when they commence to sell, create a sinking fund; that they shall put \$5 into that sinking fund from every gallon of whisky they sell. That would be \$5 for every gallon, \$1.25 for every quart and 62½ cents for every pint. Whisky is now dispensed by the pint. They are to put 62½ cents out of every pint of whisky sold into the sinking fund. It is stated inferentially that the sinking fund, would, in two years, be sufficient to pay off the \$35,000,000 gold notes; although, to guard against contingencies, they are to be five-year notes. Of course, it must be taken for granted that the sinking fund is to be made up of profits.

If \$5 for every gallon sold is to go into the sinking fund, then a profit of \$5 a gallon must be made. If a gallon profits to the extent of \$5, a quart will make a profit of a dollar and a quarter, and a pint—the usual quantity sold—will make a profit of 62½ cents.

Then, if this corporation should charge no more than the druggists now charge, which is \$2.50 per pint—and that is \$20 the gallon—and the corporation should buy at the price of \$30 a case, 3 gallons to the case, the whisky would cost them \$10 a gallon. Therefore the corporation would make \$10 a gallon.

If, by making a profit of \$10 a gallon, or 62½ cents a pint, and should they sell enough in two years to create a sinking fund of \$35,000,000 from profits, they must have left the profits of another \$35,000,000 from the difference of \$10 a gallon, between the \$10 a gallon paid for it and the \$20 a gallon realized from the sale of each gallon. So the two profits, one for the sinking fund and the other just mentioned, would amount to \$70,000,000.

But that profit would come from purchased whisky. A larger profit still would be derived from whisky manufactured by the corporation.

The Kentucky distillers used to say that 60-cent corn made 31-cent whisky. Suppose we admit, just for the sake of argument, that whisky manufactured by the corporation cost a dollar a gallon, and that it be sold at present prices—\$20 a gallon—the profit would be \$19 a gallon.

So, when the profit from whisky manufactured by the corporation be added to that purchased, the profits easily would run above \$100,000,000.

Remember, please, that the corporation itself is to determine the reasonableness of the selling price (p. 32, lines 1, 2).

As the corporation is to have the exclusive right to sell (p. 23, lines 16 to 18), there will be no competition; and, consequently, no forced reason to cut the price.

The corporation will not be so restricted in selling as now are the druggists. Of this I shall speak presently. It is perfectly safe to predict that this favored corporation will sell more than the druggists are selling.

What are they going to charge for the bad whisky they are going to bring from Canada and from other places? I mean the bad whisky spoken of by General Andrews. The Lord only knows.

To repeat: Nobody can sell but this corporation. (See p. 30, lines 23 to 25.) Nobody can manufacture but this corporation. (See p. 23, lines 16, 17.)

Now, if nobody can sell but this corporation, what is to be the result? To-day every reputable druggist in the United States who gets a permit may sell by the pint on prescription in his drug store, a decent place. Under this bill, no matter what individual passes the whisky over the counter and receives the money, he is this whisky corporation. The whisky corporation is selling, not the individual. As a matter of course, they will want all the profit they can get. Where will they put these hundreds of thousands of selling places? Will they put them in the reputable drug stores where they now are? I imagine that in order to save rent, in order to hire cheap help, they will put this whisky for sale in some other place. Where? In the back room of somebody's grocery store; in the back room of somebody's soft-drink stand. There is where it will be, and then when the revenue officers come in they will find whisky there, and only a part of it will belong to the whisky corporation, but this fellow will say that all of it belongs to the whisky corporation, and there it ends. If it does not belong to the whisky corporation, then it can be seized and "forfeited" (p. 21, line 13) to the corporation, to be sold by it as medicine, no matter how poisonous it may be.

I omitted to say in my opening remarks anything about the viewpoint from which I speak. I told a little story the other day in which I said that some years ago there were two men in my town named Doctor Forsythe; they were brothers. One of them was a doctor of divinity, and he was always addressed as doctor. The other was a physician, and he also was addressed as doctor. They both lived in the same house, and a boy came riding up to the residence one day and said, "I want to see Doctor Forsythe." The physician said, "Which one of the Doctor Forsythes do you wish to see?" He said, "Well, I do not know. I did not know there was but one," and the physician said, "Tell me your business and then no doubt I can tell you which one you want." He said, "The people over at the Coxe Creek Church sent me to ask Doctor Forsythe to come over there next Sunday and preach for them." The physician then said, "Oh, you want to see my brother. He is the Doctor Forsythe who preaches; I am the Doctor Forsythe who practices." [Laughter.]

As I have said before, I have always voted for prohibition. I am now staring three score years and ten in the face and no drop of intoxicating liquor ever has passed my lips. [Applause.]

Already I have had something to say about the "Right of eminent domain" provision in the bill, but I wish to say more on that subject.

Under the law of "Eminent domain" private property may be taken for public use; provided, of course, it be paid for.

The bill under discussion, by the right of eminent domain, gives the corporation the right to take over by condemnation proceedings the whisky of any other person in the United States.

After it has been taken over by the corporation, that does not merely confer upon the corporation the right or privilege to sell it; but, instead, it imposes the "duty" to sell not only condemned whisky but all whisky. (See p. 32, line 4.)

The language of the bill makes the corporation a public utility. If, by the bill, the corporation is not only given the right to sell, but compels it to sell, who can prevent it from selling? Who can dictate where it may sell or where it may not sell? Its "duty" is to sell anywhere in the United States.

By making a public utility of the corporation, and by imposing upon it the "duty" to sell, does not General Andrews lose all jurisdiction over the corporation?

A railroad is a public utility. So is a street-car company. Neither can refuse to sell a fare, no matter how often applied to.

Under the amended bill with which I am dealing 660,000 shares of preferred stock may be sold, the face value of which is \$100 a share. Also 660,000 shares of common stock may be issued. Whenever a share of preferred stock is sold a share of the common stock goes with it gratis. (See p. 8, lines 3, 4.)

The profits of the business finally will retire or extinguish both the gold notes and the preferred stock, thus leaving the common stock, which cost its owners nothing, to own the corporation.

Who is to get this common stock? The bill provides that when the corporation buys whisky that it may pay for it 50 per cent in money and 50 per cent in preferred stock, a share of common stock to accompany, as a gift, each share of preferred stock.

Thus it will be seen that the half dozen owners of large lots of whisky will get the common stock without paying anything for it. (See p. 19, lines 13 to 25.)

What will that common stock profit its half dozen owners? The bill provides that it may draw a dividend of \$10 a share. (See p. 11, lines 13 to 16.)

An annual profit of \$6,600,000 to be divided among a half dozen favored and hand-picked fellows is not to be sneezed at.

Remember, please, that the common stock cost them nothing. (See p. 8, line 3, and p. 19, line 17.)

If, perchance, a small number of shares should get into somebody's hands, provision is made whereby the big owners may squeeze him out. Page 8, lines 20 to 24, provide as follows:

In case the corporation elects to retire less than the whole of the outstanding preferred stock, the shares to be retired shall be selected in such manner and by such method as the corporation may determine.

I wish now to say something about "undercover" men. I do not care whether you call them undercover men or Secret Service men or detectives. They ought to be continued. We ought to have detectives. We ought to have them right now and all the time, but great damage has been done the cause of prohibition by the kind of undercover men we have had. [Applause.] They have injured prohibition more than any other thing—more than all the other things put together.

Just a few years ago the department here sent a man down into Kentucky. When he "lit" he was in the midst of a number of gentlemen, and his first declaration was that the mother of Christ was a whore and that Jesus Christ himself was a damned bastard. If I remember correctly, those were his exact words. The civil service here took that up. They did not send an underling down there, but one of the Civil Service Commissioners himself went, took sworn testimony, and brought it all back here in writing. Then the Civil Service Commission recommended that man's dismissal. He was dismissed, but before the year was out he was reinstated and was sent back to Kentucky and put in charge of the enforcement of prohibition in that State. Nearly every day you see a man named Craven come in as Assistant Secretary of the Senate. You will probably see him to-day messaging bills from the Senate to this body. He was the Civil Service Commissioner who went to Kentucky and brought back the report of the blasphemous language of that man.

I am not asking anybody to accept anything that I say about this bill or about anybody without proof of it. I will substantiate every statement I have made and some that I am going to make by quoting from this bill.

This corporation may not only distribute poisonous whisky, but it may distribute whisky as medicine from no telling how many points in the United States. In New York how many drug stores sell whisky on prescriptions? I do not know; but hundreds and hundreds, no doubt. For every one of them there will be a place in the back room of somebody's grocery, or somebody's soft-drink stand, where this corporation, money mad, may receive money for their stuff. How many will they have in Washington? When I came here and went on the District of Columbia Committee there were 750 saloons in this town. Every year of the eight years I was chairman from 100 to 150 of those saloons went out of business, until finally none was left; but under this bill, if these people are willing—and I say they are so money mad that they are willing, having a monopoly of this business to buy and to sell—they will debauch this Nation as it has not been debauched since war-time prohibition came.

When they buy whisky from anybody, by correspondence or otherwise, under the provisions of this bill they are not to pay for it until it is actually delivered to them. (See p. 20, lines 5, 6.) What does that mean? The upshot of the whole business is that these people with the stock they are going to issue will buy their own whisky from themselves and put it into this business.

Then ultimately, beyond a doubt, all of that stock will go into the hands of bootleggers. They will pay the price and get it. When they buy whisky that is to be delivered after they pay for it the man with the whisky says to the local bootlegger, "At a certain day, at a certain hour, I am going over a certain road from Bardstown to Louisville with several truck loads of whisky. This corporation is only offering me so much money, so many dollars a gallon, and you give me more than that and be out on the road at Drakes Lane, or somewhere around there, and you need not have a loaded pistol, you can have a dummy, but present it to my drivers and they are going to give up the whisky." Then the hi-jackers have it.

That is the diversion of the whisky. The corporation is not going to get it all, the owners are going to sell it to the man that gives them the most money, and they do not care who it is.

To me, and I know that I am right about it, this is the most gigantic effort to turn whisky over to the bootleggers of the country that has ever been done in the bootleggers' palmy days.

Mr. TYDINGS. Who is back of it?

Mr. JOHNSON of Kentucky. I do not know certainly who is back of it. But I think I know. A good woman, a W. C. T. U., said to me, "There are three or four outstanding propositions in the bill that we favor." I said, "Yes, my good woman, you can give the whisky-trust lawyer at Louisville, who wrote it, the Ten Commandments, and tell him to incorporate them in the bill, and he will incorporate every one of them, but between the lines he will write a license to commit every crime in the decalogue." [Laughter and applause.] That is what has been done in this bill.

Just as sure as fate, the time will come when Henry Ford and Rockefeller and Schulte of this corporation will have all the money in the United States. [Laughter.] It is flowing into their coffers just like the waters of the Mississippi River flow into the Gulf of Mexico. This bill will hurt both Henry Ford and Rockefeller, because there are a lot of people who will buy whisky in preference to buying automobiles or gasoline. [Laughter.]

Again, as to the membership of this House. They are efficient and still are underpaid. Take the gentleman from Illinois [Mr. MADDEN], who has his finger on the expenditure of every 5-cent piece of public money. What could he get if there was another corporation in the United States as big as the United States? What could Joe BYRNS get a year for checking up and seeing that Mr. MADDEN is all right? [Laughter.] Take the chairman of the subcommittee which appropriates thirty and odd million dollars for the District of Columbia; if the city was employing him, what would they be willing to pay him to go through all these items, thousands of them, and see that every dollar is honestly spent? And yet some people kicked when the salary was raised to \$10,000. It ought to be more. [Applause.]

Mr. FUNK. Mr. Chairman, I yield 30 minutes to the gentleman from Nebraska [Mr. SIMMONS], a member of the Appropriations Committee.

Mr. SIMMONS. Mr. Chairman, the people of Washington are entitled to know the facts about their school system. The superintendent of schools, Doctor Ballou, commenting upon the failure of the Appropriations Committee to grant the system 74 additional teachers, states:

It should clearly be understood by the citizens of Washington that this saving of \$121,100, brought about as a result of eliminating provision for any new teachers for the school year 1927-28, will mean a reduction in the quality of instruction and the elimination of special types of instructions, which the school system has heretofore been able to provide. If this bill becomes a law without making any provision for new teachers, it means materially increasing the size of classes in elementary, junior and senior high schools; the impossibility of organizing small classes of atypical children who need special instruction, and the assignment to regular class-room instruction of all supplementary teachers now employed in our larger elementary schools, to give children who need it the individual instruction necessary for them to keep up their respective classes.

Let us take that statement and check it with his own figures. The request for 74 teachers is divided—25 for elementary schools, 44 for junior high schools, and 5 for senior high schools.

He charges then, that a refusal to grant these 25 elementary teachers will materially increase the size of classes in elementary schools. He testified that the average increase anticipated in 1927-28 will be 900 in elementary schools (p. 535). There are now 1,482 regular classroom teachers (table, p. 541). Thus the average increase per teacher is six-tenths of one pupil—and the same increase per room, for there are 1,414 elementary

rooms. However, his estimate as to increases is not borne out by his own figures. The table on page 521 shows the average increase during the last five years to be 728—if 1925-26 is included—and 591—if 1925-26 is excluded, although Doctor Ballou testifies (p. 535) that the average increase during the last five years was 891 and the last 10 years 1,021.

The table on page 520, submitted by him, does not bear out his testimony, and frankly I have been unable to find any figures that do. He asks for 25 extra elementary school-teachers. Of those but 15 were regular class-room teachers. The other 10 are for manual training and domestic art (p. 535). Add 900 to the total enrollment and 15 to the regular class-room teachers and you will have 53,500 enrolled and 1,497 teachers (see table, p. 545), and the number of pupils per classroom teacher will be 35.8 instead of 35.5, as at present. Or assume the whole 900 actually register and actually attend every day—which they will not—the average daily attendance in elementary schools will be 41,114 and an average per teacher of 27.5 as against 27 per teacher this year.

He charges that it will be impossible to organize "small classes of atypical children who need special instruction." Now, on what basis is that statement made?

No increase was asked in the teaching force for that purpose. These 25 teachers were to be for regular classes, manual training, and domestic art. He now has 52 teachers in this class of work. No increase or decrease has been asked for or made in that service.

He charges that this action means "the assignment to regular classroom instruction of all supplementary teachers now employed in our larger elementary schools." There are now 61 supplementary elementary teachers on the pay roll. A refusal of 25 means, according to his statement, the removal of these 61 from their present assignments. But Doctor Ballou asked for no supplementary teachers; no increase or decrease is made in that service.

He asked for 15 regular teachers to add to his present list of 1,482, and for 10 special teachers to add to his present list of 220. When the five-year building program is completed there will be 1,434 regular classrooms in the elementary schools. We are now appropriating for 1,482 regular classroom teachers, or there are 48 more regular classroom teachers now on the pay roll than there will be regular classrooms when the five-year building program is completed. The bill last year carried 20 additional elementary teachers. At the present time there are 36 more teachers than classrooms (p. 567). The refusal to appropriate for the 49 junior and senior high-school positions can in no wise affect the regular elementary school classes, atypical schools, or special classes.

He asks 44 teachers for the junior high school. If he does not get them, he must "materially increase" the classes. Why should not the truth be told about that? Those teachers have not been asked for as a general addition to the teaching force but for special locations in specified buildings. Of those 44 teachers, 12 are for the Garnet-Patterson and 11 for Gordon (Georgetown) Junior High Schools (p. 536). The plans for the Garnet-Patterson School are but 80 per cent complete and those for Gordon but 10 per cent complete. The plans not done, the contracts not let, not one bit of actual work done on the schools, no one knows when the buildings will be completed, and yet he demands teachers; and if we do not give him the 23 teachers to put in his blue-print schoolhouses, he will be compelled to "reduce the quality of instruction" in the schools.

Of the remaining 21 teachers asked for in the junior high schools, 4 are for the Hine School, 7 for the Francis School, 3 for the Randall School, and 7 for the Stuart (p. 536). Now, what are the facts about the Francis, Randall, and Stuart Schools. They are just being completed and, of course, teachers must be provided. But Congress has already provided for those schools. There are now 2,620 teachers employed. We have appropriated for 2,656. Thirty-six teachers are now not being used which Doctor Ballou testified would be used in organizing these three junior high schools (p. 567), and Congress gave him those teachers for that purpose. If you will turn to page 693 of the hearings on this bill last year (1926) you will find that Doctor Ballou asked for, and received, 52 additional junior high teachers, giving as his justification therefor the opening of the Stuart, Francis, Randall, and MacFarland Schools and the need for teachers. He further explained that seventh grade and eighth grade teaching positions would be converted into junior high positions. We appropriated a year ago for the three junior high school teaching force. We gave every teacher a year ago that was asked for to fully man those three schools. These 17 teachers asked this year are to supplement an already complete staff in those three schools.

We now have on the junior high-school staff 273 teachers. The average per classroom teacher is but 21.1, based on the actual number belonging and but 20 based on the average daily attendance. The estimated increase for junior high school attendance this year is 900. No tables were given to justify that estimate, but for the purpose of this statement I accept it. Add 900 to the total average attendance as shown (p. 545) and you will have a maximum enrollment of 6,412. Leaving the teachers force at 273 and the average per classroom teacher based on total enrollment will be 23.5. But adding the 900 to 5,259 (the average daily attendance in the junior high schools) and you will have 6,159 or 22.6 pupils per classroom teacher. The present high-school average is 22. These figures justify our belief that the junior high schools are amply provided with teachers.

But disregard the fact that last year we appropriated for every teacher needed in the three new junior high schools and that we are appropriating for them again this year. The table shown on page 536, submitted by Doctor Ballou, shows that he now has available and we are appropriating for 25 teachers which have been allocated to the Garnet-Patterson and Gordon schools. He can not use them at those schools, for, as I have shown, those schools are but partly prepared blue prints. He asks for 21 junior high teachers in addition to those asked for the two schools not yet built. He can use 21 of the 25 teachers allocated to Garnet-Patterson and Gordon, for whom he has no use, and have 4 left unallocated. We are then actually giving the teacher-salary appropriation money for four junior high-school teachers in excess of Doctor Ballou's request for junior high schools which are or will be in operation. He asks for 48 teachers for schools the plans of which are not drawn.

Now, in the senior high schools he asks for five new teachers, none of whom are to be used in new schoolhouses (p. 567). Doctor Ballou testified (p. 536) that in the last five years the average increase in senior high schools was 852 pupils. The table on page 521 shows it to be 732, or 120 less than his figures. He explains this by saying that he did not have 1925-26 available in May last, when the estimate was made up, but in the last three years the average increase has been but 386 and last year was but 201. So why figure an increase of 800 in the high school, as he does (p. 536)? But much of that will be absorbed in the junior high schools (p. 536). Suppose the high school increases twice what it did last year, or 400. You would then have an actual enrollment of 11,393 and an average per teacher of 22.8, as against 22 now. If we gave him those five teachers the average number per classroom teacher would be reduced from 22.8 to 22.6. Based on average daily attendance and with the estimated 400 increase of pupils, the average per teacher would be 21.6 without the increase and 21.4 with the increase. Eighteen senior high-school teachers were given last year additional.

These tabulations are based on an estimated total increase of 2,200 in the schools, whereas the 1925-26 increase was but 1,606, and an actual increase of December 4, 1926, over December 3, 1925, of 982 (p. 542).

This morning's paper carries a news item that the school enrollment as of January 31, 1927, is 70,325, and states that it is a "new high record." Doctor Ballou testified (p. 541) that the enrollment December 3, 1926, was 70,553, showing a loss of 228, although Doctor Ballou testified (p. 552) that the enrollment will increase. But to show how misleading figures may be, on page 520 is a table showing the whole enrollment of the schools 1925-26 to be 74,903, while the average daily attendance was but 61,778 in 1925-26. On pages 544-545 are tables showing the "whole" enrollment as of November 1, 1926, to be 70,735, the "actual" enrollment 70,473, and the average daily attendance to be 56,891. This is a loss in average attendance of 4,888. It also shows fewer pupils in average attendance in the entire system November 1, 1926, than they claim to have enrolled in the elementary schools alone. This morning's statement shows 57,529 enrolled, against average attendance of 56,891.

These figures are submitted for the consideration of the Congress. All of us are interested directly as Members, many are interested as parents with children in the schools, many more as taxpayers. The figures are the schools' own figures and show how absurd Doctor Ballou's statement is, and also show that the schools are amply provided with teachers.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield there?

Mr. SIMMONS. Yes.

Mr. KETCHAM. With reference to these teachers, are those teachers in the elementary schools or in the high schools?

Mr. SIMMONS. I am referring now to the teachers in the elementary schools.

Mr. KETCHAM. It might readily be understood that that might easily happen in connection with high schools by the number who had determined to take up a particular subject.

Does not the geographical element enter into that to a great extent? For instance, take the illustrations which the gentleman has just given. Of course, no reasonable man would ask a teacher to care for 52 or 55 pupils in one room.

Mr. SIMMONS. There is no justification for it on the average if the District had been properly districted.

Mr. KETCHAM. The trouble is, as the gentleman will readily understand, that you can not foresee developments in any particular section, and possibly within a year's time a sudden grouping in one section taxes the school facilities there and you can not immediately meet that situation.

Mr. SIMMONS. I agree with the gentleman on that and that is true. We have had a shifting here due largely to the color situation, of certain schools which have had to be changed from colored schools to white schools and from white schools to colored schools.

Mr. KETCHAM. Eliminating those rather exceptional illustrations, what is the general situation?

Mr. SIMMONS. In the schools as a whole?

Mr. KETCHAM. Yes; as to the elementary schools.

Mr. SIMMONS. We now have 36 more teachers appropriated for in this bill than there are classrooms in which they can teach. On the average of the total enrollment—and when they give us the total enrollment they do not deduct anything for the shifting of any large numbers—we are providing in this bill one teacher for every 35½ pupils enrolled in the District schools, and on the basis of the average daily attendance we are appropriating in this bill one teacher for every 27 pupils in the District schools. That is, in all the regular classroom schools that does not include those teachers who teach music, manual training, and the domestic arts, the itinerant teacher who goes from school to school.

Mr. KETCHAM. They are taken out of the average?

Mr. SIMMONS. Yes. There are 229 more of those in the grade schools. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back three minutes.

Mr. GRIFFIN. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman and fellow members of the committee, the school question takes up 144 pages of the hearings on this bill. We went back and forth, up and down, and in and out trying to get facts.

Now, the unfortunate thing about the hearing was this—and I am saying this in all kindness to my colleagues, with whom I have maintained the very kindest and most cordial relations, and what I am saying is absolutely impersonal—but it is a fact that they were largely influenced in deciding the teacher problem by figures, data, and opinions which they did not derive wholly or directly from the school authorities.

The Board of Education asked for and were allowed by the Budget 74 additional teachers, and they showed to my mind conclusively that they were entitled to those teachers and that they could use them advantageously.

What are the elements or factors entering into the determination of the question as to the number of teachers required? First of all comes the enrollment. Now, on the matter of enrollment the committee got itself all tied up as to the distinction between the whole enrollment, the actual enrollment, and the average attendance. What is the significance of those terms? The whole enrollment means the entire enrollment for the year; the actual enrollment means the number of pupils on the rolls of a class at a given time, while the average attendance means the average attendance on every day in the week added up and divided by five.

Now, let us see what we have in the hearings about the actual enrollment. On November 1, 1926, the actual enrollment was 70,473. I have indicated on Chart I the page of the hearings where the figures may be obtained:

CHART I—Enrollment, actual enrollment, and average attendance

The actual enrollment of pupils on—	
Nov. 1, 1926, was (p. 545).....	70,473
Dec. 3, 1926, was (p. 541).....	70,553
Dec. 4, 1925, was (p. 54).....	69,571
Or an increase of 982.	

Now, the problem is: Which figure shall we take as the factor in determining the number of teachers that are necessary? I am sorry to say that my colleagues strove to obtain a rule of thumb by using the total enrollment as a dividend and dividing into it, as the divisor, the whole number of teachers. I claim that the proper dividend in determining the number of teachers required is the actual enrollment; that is, the number of pupils the school authorities are obliged to accommodate in

comfort—not the “whole enrollment” and, least of all, the “average attendance.”

If you fix upon the average attendance then there will be days in the week when there is a full attendance in the classrooms and then you will have no space and no suitable accommodations or comfort for either the teacher or the pupils. Manifestly the only fair and the only just and proper dividend to use in determining this factor is the actual enrollment, the number of pupils who are likely to be in school at the peak of attendance.

The “average attendance” is a poor yardstick. If you were to provide seats in the school, for instance, on that basis, there would necessarily be times when some of the children would be without accommodation.

Therefore I have used the “actual enrollment” as the proper dividend or basis for determining the average number of pupils per teacher. There was, and still is, much confusion of thought and of figures on that subject.

The committee had before it two very amiable ladies purporting to represent the Parent-Teachers' Association. They received very courteous attention, as was their due. I yield nothing to my colleagues in the matter of politeness; but I thought, and still think, my colleagues surpassed themselves in courtesy by taking too much stock in the figures of outsiders, no matter how interested they may be in the schools, from the standpoint of parents, and in putting them up against the figures of the constituted school authorities of the District.

Mrs. Bannerman the spokesman had a method of figuring out the number of pupils per teacher in the District schools. There are two gross fatal errors in her calculation as I have indicated on this chart. Mrs. Bannerman took as her dividend 61,778.5, the “average attendance,” instead of the “actual enrollment” of 70,553 in the schools as of December, 1926. Then she divides into that sum 2,640 as her divisor, representing the total number of teachers in the system, showing she was utterly oblivious of the distinction between class teachers and special or itinerant teachers, such as music and domestic science teachers, who travel about from class to class, to the number of 351, who must, in all fairness, be deducted from the total of 2,629 teachers now on the pay roll.

CHART II

[P. 541 of hearing]

The grand total of teachers in the system as of Nov. 1, 1926, was (excluding 51 teaching principals) 2,629

This includes:

Librarians.....	10
Special teachers of music, domestic science, drawing, etc.....	228
Health teachers, etc.....	52
Supplementary teachers.....	61
Coaching research, substitute, etc.....	61

A total of 351 which can not be taken into account in determining the proportion of teachers to the actual enrollment. Therefore, deduct 351

The actual classroom teachers are 2,278

Let us now go back to the actual enrollment on December 5, 1926. We find it to be 70,553. Dividing that by 2,278 we derive 31 (nearly) as the average number of pupils in the classroom of each regular teacher.

Mr. SIMMONS. Will the gentleman yield?

Mr. GRIFFIN. I can not yield now; pardon me.

I will put in the deadly parallel column form the two methods of calculation.

CHART III

Mrs. Bannerman's method	The correct method
23.4	30.97
2640)61778.5	2278)70553.00
5280	6834
8978	22130
7920	20502
10585	16280
10560	15946
25	

You will see that by Mrs. Bannerman's method the number of pupils per teacher is 23.4, while by the correct method (dividing into the actual enrollment the actual number of class teachers) we find that the average number of pupils for each teacher in the public-school system of the District is 30.97; in other words, nearly 31 pupils.

This is interesting in view of a statement that Mrs. Bannerman made before the committee. She said in her statement that if the average number of pupils per teacher in the District

of Columbia, 25.1 at present, were 30.55, the general average for cities of over 1,000,000 in 1924, 20,040½ more pupils could receive instruction with no more teachers.

Yet when we analyze the figures we find that the average of pupils per teacher in the District of Columbia exceeds the general average throughout the entire United States in 65 cities.

OVERCROWDING IN DISTRICT SCHOOLS

If there were any doubt about it, the overcrowding in the District schools should confirm the board of education figures rather than the wild estimates of outsiders. I have summarized the figures contained in the hearings in the following chart:

CHART IV

School	Class-rooms	Pupils per room	Number of schools	Number of class-rooms
WHITE SCHOOLS HAVING MORE THAN 40 PUPILS PER ROOM				
Division I:				
Brown.....	19	50		
Curtis Hyde.....	17	42.2		
Eaton.....	17	52.7		
Fillmore.....	8	45.3		
Total schools.....			4	
Total classrooms.....				61
Division III:				
Barnard.....	8	41.3		
Johnson-Bancroft.....	17	46.1		
Hubbard-Raymond.....	16	40		
Takoma.....	18	42.8		
Truesdale.....	16	41.2		
West.....	16	43.3		
Total schools.....			6	
Total classrooms.....				91
Division IV:				
Henry Polk.....	16	41.8	1	16
Division V:				
Brookland, Bunker Hill.....	16	48.9		
Burroughs.....	9	34.6		
Langdon-Woodridge.....	15	40.4		
Park View.....	21	47.9		
Total schools.....			4	
Total classrooms.....				61
Division VI:				
Blair-Hayes.....	19	42.2		
Edmund Maury.....	16	47.9		
Ludlow-Taylor.....	16	40.1		
Total schools.....			3	
Total classrooms.....				61
Division VII:				
Bryan.....	14	47.3		
Buchanan.....	16	46.0		
Congress Heights.....	14	41.5		
Cranch-Tyler.....	16	43.5		
Total schools.....			4	
Total classrooms.....				60
Total.....			22	340
COLORED SCHOOLS HAVING MORE THAN 40 PUPILS PER ROOM				
Division X:				
Briggs.....	8	52.1		
Bruce.....	13	50.5		
Cleveland.....	12	53.8		
Garrison.....	16	40.6		
Montgomery.....	8	45.6		
Phillips.....	8	52.1		
Stevens.....	18	47.1		
Summer-Magruder.....	18	41.4		
Wilson.....	11	47.2		
Wormley.....	8	41.8		
Total schools.....			10	
Total classrooms.....				110
Division XI:				
Cook.....	16	44.0		
Garnet-Patterson.....	23	50.3		
Mott.....	25	48.3		
Slater-Langston.....	16	41.1		
Total schools.....			4	
Total classrooms.....				80
Division XIII:				
Ambush.....	8	43.8		
Banneker-Jones.....	16	44.3		
New Bell.....	16	40.3		
Burryville.....	14	47.9		
Cardozo (Old Bell).....	16	44.6		
Crummell.....	6	44.8		
Deanwood.....	13	45.0		
Douglas-Turning.....	16	44.5		
Giddings-Lincoln.....	20	51.2		
Logan.....	8	57.5		
Lovejoy.....	20	41.9		
Payne.....	8	43.2		
Syphax.....	10	46.1		
Total schools.....			13	
Total classrooms.....				171
Total.....			27	361
Recapitulation.....			49	701

To sum up, there are 22 white schools overcrowded and 27 colored schools overcrowded, making a total of 49 schools in the District, embracing 701 classes, which need a subdivision of classes and additional teachers.

Mr. FLETCHER. How much in excess of the proper number are they overcrowded?

Mr. GRIFFIN. They run up to 51, 52, and 53. The Logan School—colored—runs up to 57.5.

Mr. TABER. Are all these classes overcrowded?

Mr. GRIFFIN. This is the average for these schools; in other words, there are so many classes overcrowded in each school that the average ranges from 40 and a fraction up to 57. You will find the precise details in the hearings from pages 545 to 547.

In the colored section we have in Division X, 10 schools containing 110 classes overcrowded. In the XI division, 4 schools containing 80 classes, and in the XIII division, 13 schools containing 191 classes that are overcrowded.

Mr. FLETCHER. By overcrowded do you mean they have not any place to sit while they take a class lesson?

Mr. GRIFFIN. It means they have more than 40 pupils per class, and in many cases the classes have to be divided. That is responsible for the "part-time class problem." I am glad the gentleman called my attention to that point.

Mr. ROBSON of Kentucky. What is the total number of schools and the total number of classes?

Mr. GRIFFIN. The grand total is 49 elementary schools and 701 is the total number of overcrowded classes.

Mr. ROBSON of Kentucky. No; I mean what is the total number of schools in the District and the total number of all classes?

Mr. GRIFFIN. I never took the time to summarize that, but I will put it in the RECORD. [The answer to that is that there appears to be 139 elementary and 21 normal, senior, and junior high schools—total, 160. Practically one-third are in congested districts and are overcrowded.]

Doctor Ballou, the head of the Board of Education, testified that when a class reached over 50, so as to render it inconvenient for the teacher to handle the pupils, he would divide the class into two part-time classes.

PART-TIME CLASSES

There are 130 part-time classes to which the children of this District are going. (See p. 577, hearings.) I think a resident of the District of Columbia is entitled to have his children taught a full day every day of the school week.

Now, where are these 74 additional teachers asked for going? Some of them are going to the part-time classes, and here we have 701 classes that sooner or later will have to be divided.

Mr. ACKERMAN. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. ACKERMAN. How many classes are there altogether in the city of Washington?

Mr. GRIFFIN. I could not tell the gentleman that. The gentleman will find that summarized in the record on page 545 of the hearings.

Mr. ACKERMAN. What proportion of the whole do these classes represent that are overcrowded?

Mr. GRIFFIN. Seven hundred and one classes are overcrowded.

Mr. ACKERMAN. But the gentleman can not state what proportion that represents to the total?

Mr. GRIFFIN. I could not tell the gentleman that off hand. The summary of the schools, giving full details, is to be found on pages 545 to 548 of the hearings. As I have said in my answer to the gentleman from Kentucky [Mr. ROBSON] there are 49 out of a total of 150 schools in the District which are overcrowded, and I presume the number of overcrowded classrooms would be in about the same ratio; that is, one-third.

CHART V

New schools and classrooms to be ready in this and the next fiscal year
[See pp. 535 and 536, hearings]

School	Date of completion	New teachers needed
Burroughs.....	Aug. 1, 1927	9
Amidon.....	Jan. 1, 1928	0
Smothers.....	Aug. 1, 1927	2
Woodbridge.....	do	4
Hine Addition.....	1 Apr. 1, 1927	4
Garnet-Patterson.....	Jan. 15, 1928	12
Gordon.....	do	11
Francis.....	1 Jan. 1, 1927	17
Randall (replacement).....	do	3
Stuart.....	1 Feb. 1, 1927	7
Teachers needed.....		69

¹ To be opened in the current fiscal year.

It may be objected that some of these schools will not be ready until the next fiscal year—but it is the next fiscal year that we are providing for.

Furthermore, the estimates of the school board do not provide for full pay for the new teachers asked for.

Now here is where these pupils are going. Here is a chart showing the new schools to be ready in this and in the next fiscal year. I have put on the diagram the name of the schools, the date of completion, and the number of teachers required. You will see here the Burroughs school, to be completed in 1927, requires 9 teachers. The Amidon, to be completed in 1928, no teachers. The Smothers, to be completed in 1927, 2 teachers. The Woodbridge, to be completed in 1927, 4 teachers. The Hine addition, to be completed in 1927, 4 teachers. The Garnet-Patterson, to be completed in 1928, 12 teachers. The Gordon, to be completed in 1928, 11 teachers. The Francis, to be completed in 1927, 17 teachers. The Randall, to be completed in 1927, 2 teachers. The Stuart, to be completed in 1927, 7 teachers.

Of those in the list we have 2 that will be completed the current fiscal year; 5 of the others in the next fiscal year. Remember, gentlemen, we are appropriating in this bill for the next fiscal year, and remember further that the Commissioner of Education is not asking for full salaries for the teachers for the schools that are to be completed. He is only asking for the salaries of those teachers from the time they are appointed.

Mr. SIMMONS. Will the gentleman yield right there?

Mr. GRIFFIN. Yes.

Mr. SIMMONS. The record shows that he is asking for the full salaries beginning in 1927 and the Garnet-Patterson and the Gordon are not contracted for.

Mr. GRIFFIN. The gentleman is mistaken. Doctor Ballou says that he is making no demands for the entire number of teachers for the fiscal year 1928.

The CHAIRMAN. The gentleman from New York has used 20 minutes.

Mr. GRIFFIN. Mr. Chairman, I yield to myself five minutes more.

Mr. SIMMONS. Now, will the gentleman yield again?

Mr. GRIFFIN. Yes.

Mr. SIMMONS. If the gentleman will look at page 536 of the hearings he will find a table where they ask for 23 teachers as a part of the 74 teachers, and the appropriation calls for full salaries for the 23 teachers.

Mr. GRIFFIN. The gentleman is absolutely mistaken. In the first place, the table on page 536 shows a demand for 25 teachers for the 2-A classes and 19 for the 2-C classes. If you will read the notes at the foot of that table you will find the following:

1. Seven 2-C salaries needed for ninth grade increase in September, 1927, and February, 1928.
2. Three 2-C salaries needed for ninth grade increase in September, 1927, and February, 1928.
3. Seven 2-C salaries needed for ninth grade increase in September, 1927, and February, 1928.

And in answer to a question Doctor Ballou stated (page 604 of the hearings):

Doctor BALLOU. I would like to add one further point about this present budget that is before you. In that budget a deduction has been made for every teacher whose salary begins February 1, 1928, which was not done in the budget for 1927. We have a balance this year of \$32,600; at least, we anticipate having a balance this year, among other reasons, because of these 30 or more teachers whom we will appoint on the 1st of February. That has been taken into account for the budget for 1928, and the budget has been reduced to a minimum on the basis of the proposed opening of classes in February and the beginning of teachers' salaries then rather than in September.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of Alabama. Even if you err on the side of affording more teachers than some think would be required at the beginning of 1928, they would not be employed until their services were required.

Mr. GRIFFIN. Absolutely not. Doctor Ballou assured the committee as to that unequivocally (p. 606, hearings).

Mr. OLIVER of Alabama. Do the hearings disclose in past years where there has been an authorization of teachers in contemplation of buildings to be built that there has been any abuse of that by the authorities; and does it show that they were employed before they were actually needed?

Mr. GRIFFIN. The best proof of that is that they have not appointed the 36 teachers that they are now entitled to appoint. Doctor Ballou was hammered and hectoring by my

colleagues on the subject as though it were a crime not to have spent the public's money.

Mr. SIMMONS. The taxpayers of the District have paid the taxes; the taxpayers have paid for that service.

Mr. GRIFFIN. Does the gentleman think that they ought to have appointed the teachers whether they were employed or not?

Mr. SIMMONS. I do not think we ought to tax the people for teachers that we do not need, and he is asking for a number of teachers that we could not possibly use during the year.

Mr. GRIFFIN. The public may be taxed on the basis of the appropriations for the coming year, if that is what the gentleman means, but if the appropriation is not used it lapses, and the taxpayer gets the benefit of it in the next year's estimates.

Mr. ROMJUE. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. ROMJUE. The gentleman from Nebraska called attention to the fact that there were nine rooms in one school that are now empty, and in an adjacent district the rooms were overcrowded. Could not that be remedied by the school board under existing law?

Mr. GRIFFIN. It could be; but if you look at Doctor Ballou's testimony you will find that he says that it is difficult to transfer children bodily from one school to another. The parents of the children rise up in protest. The children object to taking the longer walk over bad roads. Now, as to this Brightwood School that the gentleman speaks of, that is a new school building in a new section, and it was planned and built not only for the present but for next year and for many years to come. It is no crime to have vacant rooms in that school. It is an inevitable incident connected with a building program designed to meet the growth of population in new sections.

Mr. ROMJUE. I should think that in an emergency the parents would prefer to have their children go to an adjacent school, even if they had to walk farther rather than have them in an overcrowded room.

Mr. GRIFFIN. The best answer to that is that they do not yield to that argument. The Parent-Teachers' Association plays a very important part in the management of such things. They go in and harry the principal and then harry the members of the Board of Education and dictate plans and policies. If a man had a free leg to do these things arbitrarily, he could perhaps do them; but the trouble is that the shifting of scholars from one school to another is one of the most ticklish of problems.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GRIFFIN. Mr. Chairman, I now yield to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman, the death of ex-Empress Carlotta recalls the stirring incidents in the history of Mexico between January 6, 1862, when English, Spanish, and French troops landed at Vera Cruz, and June 19, 1867, when on the Hill of Bells, in the outskirts of Queretaro, Mexico, Emperor Maximilian and his two generals, Miramon and Mejia, with their backs to a stone wall, faced a firing squad and, meeting death in this manner, ended once and forever the ambition and efforts of European nations to establish monarchies and empires in the Western Hemisphere.

Sometimes a submerged collection of driftwood diverts a river from the bed in which it has flowed for centuries, and not infrequently a seemingly unimportant incident turns the stream of destiny out of its channel and changes the course of human history. The position of Maximilian was at all times precarious, but his doom was sealed when in the summer of 1865 he declined to avail himself of the services of Gen. Joe Shelby and his company of 1,000 intrepid, courageous, seasoned Confederate soldiers from Missouri. The story of Shelby's expedition to Mexico reads like a romance. It was as bold and famous as the historic expedition of another Missourian, General Doniphan and his company of 1,000 Missourians, from Leavenworth, Kans., to Santa Fe, El Paso, Chihuahua, and Saltillo, Mexico, in 1846-47; as romantic as the retreat of the 10,000 Greek mercenaries from Cunaxa, on the Euphrates, to the Euxine Sea, which was immortalized by the Greek historian Xenophon in *The Anabasis*. Let me briefly relate this fascinating story, the details of which are so graphically delineated by John N. Edwards, the historian of the expedition.

Gen. Joseph O. Shelby was one of the boldest and most chivalric soldiers that ever carried a saber or led an army to battle. When the Civil War broke on our Nation, Joseph O. Shelby, then 30 years old, was a successful manufacturer of bale rope in Waverly, Lafayette County, Mo. He espoused the cause of the South and throughout the greatest internecine conflict

recorded in history he followed the flag of the Confederacy. Well educated, he had fire, energy, dash, dauntless courage, and a magnetic personality that won and held the affection and loyalty of his soldiers. Like Marshal Ney, the bravest of the brave, he was ever in the thickest of the battle; a crusader like Chevalier Bayard, without fear and without reproach. Of him it could truthfully be said, as was said by Sir Ector de Maris, sorrowing over the dead body of his brother, Sir Launcelot:

And thou wert the courtest knight that ever bare shield
And thou wert the truest friend that ever bestrad horse.

Shelby's division, largely composed of Missouri young men, was the flower of the trans-Mississippi army of the Confederacy, and his soldiers followed him with a love, devotion, and loyalty unsurpassed in the military records of the world.

In the last days of the Civil War General Shelby's division was a part of the trans-Mississippi Confederate army commanded by Gen. E. Kirby Smith, the last of the Confederate armies to surrender. General Smith's headquarters were at Shreveport, La. General Shelby's division was encamped at Fulton, Ark. When the news of General Lee's surrender at Appomattox reached General Smith's army a council of war was held at Marshall, Tex. General Smith, realizing that further hostilities were useless, favored a surrender. General Shelby opposed the surrender. He advised that the different divisions of the trans-Mississippi army concentrate on the Brazos River for further resistance or an expedition into Mexico, with the option to fight to reinstate Juarez or espouse the cause of Maximilian. This bold proposal made by this brown-bearded, fair-haired fighter had a magnetic effect. Shelby proposed that Gen. Simon B. Buckner should lead the expedition. To the daring and impetuous Shelby was assigned the embarrassing task of communicating the decision of the council to General Smith. This interview was brief and to the point:

"The army has lost confidence in you, General Smith."

"I know it," said General Smith.

General Shelby continued:

"The army does not wish to surrender." To which General Smith replied:

"Nor do I. What would the army have?"

"Your withdrawal," said General Shelby, "as its direct commander, the appointment of General Buckner as its chief, its concentration upon the Brazos River, and war to the knife, General Smith."

Pained and astonished, General Smith said: "What do you advise, General Shelby?"

"Instant acquiescence," said General Shelby.

Thereupon General Smith wrote an order turning over the command of the army to General Buckner.

But General Buckner became faint-hearted. After returning to Shreveport, General Smith experienced a change of heart, ignored his resignation, resumed command of the army, and entered into negotiations with General Pope, which resulted in the surrender of the trans-Mississippi Confederate army. But when these negotiations were consummated, practically all of General Smith's army had been dissolved, nearly all of his troops having disbanded and gone home. In General Smith's letter of May 30, 1865, he refers to "Shelby's heroic division of Missouri cavalry" as having maintained its organization intact.

Bitterly disappointed that he could not take an army of 50,000 seasoned Confederate soldiers into Mexico, Shelby appealed to his own troops for volunteers for the Mexican adventure. "One thousand bronzed soldiers rode fair to the front, over them the old barred banner, worn now, and torn, and well-nigh abandoned. Two and two they ranged themselves behind their leader, waiting." With his thousand soldiers marching behind him, Shelby turned his face toward the Rio Grande and the region of the Montezumas. With him rode a few war-seasoned officers—Elliott, Gordon, Slayback, Williams, Collins, Langhorne, Crisp, Mirick, Jackman, and Blackwell. Through Corsicana, Waco, Austin, San Antonio, over a dreary waste of mesquite and chaparral, this Confederate cavalcade that had never surrendered moved on to Eagle Pass. The Rio Grande River marks the boundary between the United States and Mexico, but its onrushing waters did not deter these soldiers of fortune. Pausing in the middle of the stream, the old tattered battle flag which had been carried at the head of Shelby's heroic division through the struggle and sorrow of 200 desperate battle fields, was brought from its resting place and given once more to the winds. "With bare, bowed heads, Shelby's soldiers gathered around the dear old banner." For a few brief moments it was held above the rushing tide and then solemnly the battle flag of Shelby's

division was lowered beneath the turbid waters of the fast-flowing river.

This incident was commemorated by Col. A. W. Slayback in a beautiful poem entitled "The Burial of Shelby's Flag." Having crossed the Rio Grande, Shelby and his men entered Piedras Negras, a Mexican city, on the early morning of July 4, 1865, from which place the march to the City of Mexico began. On to Monterey, through an almost impassable wilderness, over desert and mountains; through Saltillo, camping on the battle field of Buena Vista, then on to Parras; then through Matehuala, Dolores, Queretaro, to the capital of the Aztecs and the bloody scenes of Cortez and his brutal band of conquistadors. This journey was made through an inhospitable region, over desert and mountains, and Shelby and his men were beset on every hand by hostile forces of Mexican bandits and guerrillas. Successful in every encounter, magnanimous in every victory, rigidly observing the rules of war, respecting the rights and property of the people of the regions through which they passed, these soldiers of fortune tendered their swords and their services to Emperor Maximilian.

The history of the efforts of Austrian Archduke Ferdinand to establish an empire in Mexico reads like a romance. While the people of the United States were engaged in the great Civil War, England, France, and Spain on January 6, 1862, landed troops at Vera Cruz, Mexico, for the alleged purpose of compelling Mexico to discharge its financial obligations. At this time Benito Juarez was the nominal President of Mexico. For a season foreign troops occupied Vera Cruz, and then started into the interior toward the City of Mexico. A protest from Secretary Seward influenced England and Spain to recall their troops, but the French Army proceeded to the Mexican capital, and from which President Juarez retired. The French established a de facto government, military in character. The ragged army of Juarez was defeated and driven from place to place. In a short time the French had control of all the important cities in Mexico. A provisional government was formed and an "Assembly of Notables" was chosen and intrusted with the duty of providing a plan for a permanent government. On July 10, 1863, this plan was adopted and under its provisions a monarchy was created, the sovereign to take the title of the Emperor of Mexico, and the imperial crown was offered to Prince Ferdinand Maximilian.

On a previous occasion, during the revolution of 1861, Maximilian had been offered the throne of Mexico but declined it. When this second offer came in 1863 Maximilian still hesitated and sent a letter to President Juarez requesting a meeting to discuss the affairs of Mexico in an amicable manner. President Juarez answered that he could not consent to any meeting with Maximilian. And so it was that this kind-hearted scion of the royal house of Hapsburg hesitated and delayed until April, 1864, when he left his beautiful home by the blue Mediterranean and sailed away from Trieste to Mexico to begin a reign which fate had decreed would never be happy and could not continue long. With him went beautiful Empress Carlotta, who was largely responsible for the intrigue which resulted in Maximilian being seated on the unstable and ill-fated throne of Mexico. She was a descendant of Henry IV of France, the hero of Ivry, "a ruler next in goodness and greatness to Louis IX." She was a granddaughter of Louis Philippe, King of France. In the language of Edwards:

Empress Carlotta was a woman who had been twice crowned—once with a crown of gold, earthly and perishable, and once with a crown of beauty as radiant as the morning.

The reception of Maximilian and Carlotta in Mexico was joyous and enthusiastic, and in the capital of the Montezumas, with pomp and pageantry, they were invested with crown and scepter, indicative of imperial power. Idealistic, visionary, and unacquainted with the long-oppressed and turbulent people, over whom he was called to rule, Maximilian, intending to rule wisely, justly, and benevolently, little realized what he most needed for the regeneration of Mexico was not a paper constitution, not a magnificently maintained court, not the glitter and tinsel of imperial splendor and pageantry, but a seasoned army of 100,000 soldiers. Though Maximilian was Emperor in name, Marshal Bazaine, a military autocrat in charge of the imperial army, composed largely of French soldiers, was Emperor in reality.

Marshal Bazaine was a soldier who had seen service in Algeria, in the Crimea, in Italy—especially at Magenta—and he had won the baton at last in Mexico, that baton that the first Napoleon declared might be in the knapsack of every soldier. He was ambitious, brave to utter recklessness; crafty, yet outspoken and frank; a savage aristocrat, who had married a fair-faced Spaniard and a million; merciless in discipline, beloved of his troops, adored by his military family; a gambler who had been known to win a thousand ounces on a single card;

a speculator and the owner of ships; a husband whom even the French called true; a father and a judge, who after he had caressed his infant voted death at the court-martial so often that one officer began to say to another, "He shoots them all."

But he was a skillful soldier, and he drove Juarez from place to place, at times across the Rio Grande into Texas, keeping the ragged and starving Liberal army constantly on the move, giving rise to the saying that—

Patriot Juarez kept the capital of Mexico on wheels and moved it with him when driven from city to city.

This Bazaine, who spilled so much blood in Mexico, was the same Marshal Bazaine who in the Franco-Prussian War on October 27, 1870, as commander of the French armies, surrendered the French fortress of Metz and his army of 180,000 men. When General Shelby arrived in the city of Mexico the French held all the country that was worth holding and Maximilian had been reigning for over a year. The Empress Carlotta, an angel of mercy in those days of blood, pestilence, and famine, carried her ministrations into almost every region held by the imperial forces, thereby winning the confidence, gratitude, and affection of the common people, whose distress she had relieved and whose bitter load she had made more bearable. Maximilian, impulsive, humane, and gentle, sought to administer the affairs of his tottering empire in a benevolent and magnanimous manner, notwithstanding the firing squads of Marshal Bazaine were every busy with their bloody butcheries.

General Shelby quickly comprehended the situation. Through Commodore Maury and General Magruder he secured an interview with Maximilian, who—

met him without ceremony and with great sincerity and frankness. Marshal Bazaine was present. Count de Noue, the son-in-law of General Harney and the chief of Bazaine's civil staff, was the interpreter.

John N. Edwards in his history of Shelby's Expedition to Mexico, an Unwritten Leaf of the War, describes the interview between Maximilian and General Shelby as follows:

Shelby laid his plans before him at once. These were to take immediate service in his Empire, recruit a corps of 40,000 Americans, supersede, as far as possible, the native troops in his army, consolidate the Government against the time of the withdrawal of the French soldiers, encourage emigration in every possible manner, develop the resources of the country, and hold it, until the people became reconciled to the change, with a strong and well-organized army.

Every proposition was faithfully rendered to the Emperor, who merely bowed and inclined his head forward as if he would hear more.

Shelby continued, in his straightforward, soldierly manner:

"It is only a question of time, Your Majesty, before the French soldiers are withdrawn."

Marshal Bazaine smiled a little sarcastically, it seemed, but said nothing.

"Why do you think so?" inquired the emperor.

"Because the War between the States is at an end, and Mr. Seward will insist on the rigorous enforcement of the Monroe doctrine. France does not desire a conflict with the United States. It would neither be popular nor profitable. I left behind me a million men in arms, not one of whom has yet been discharged from the service. The Nation is sore over this occupation, and the presence of the French is a perpetual menace. I hope Your Majesty will pardon me, but in order to speak the truth it is necessary to speak plainly."

"Go on," said the Emperor, greatly interested.

"The matter whereof I have spoken to you is perfectly feasible. I have authority for saying that the American Government would not be adverse to the enlistment of as many soldiers in your army as might wish to take service, and the number need only be limited by the exigencies of the Empire. Thrown upon your own resources, you would find no difficulty, I think, in establishing the most friendly relations with the United States. In order to put yourself in a position to do this, and in order to sustain yourself sufficiently long to consolidate your occupation of Mexico and make your Government a strong one, I think it absolutely necessary that you should have a corps of foreign soldiers devoted to you personally and reliable in any emergency."

On being appealed to Commodore Maury and General Magruder sustained his view of the case, and Shelby continued:

"I have under my command at present about 1,000 tried and experienced troops. All of them have seen much severe and actual service, and all of them are anxious to enlist in support of the Empire. With your permission, and authorized in your name to increase my forces, and in a few months all the promises given here to-day could be made good."

The Emperor still remained silent. It appeared as if Shelby was an enigma he was trying to make out—one which interested him at the same time that it puzzled him. In the habit of having full and free conversations with Commodore Maury, and of reposing in him the most unlimited confidence, he would look first at Shelby and then at Maury, as if appealing from the blunt frankness of the one to the polished sincerity

and known sound judgment of the other. Perhaps Marshal Bazaine knew better than any man at the interview how keenly incisive had been Shelby's analysis of the situation, and how absolutely certain were events, neither he nor his master could control, to push the last of his soldiers beyond the ocean. At intervals the calm, immobile face would flush a little, and once or twice he folded and unfolded a printed dispatch held in his hands. Beyond these evidences of attention it was not known that Bazaine was even listening. His own judgment was strongly in favor of the employment of the Americans, and had the bargain been left to him, the bargain would have been made before the end of the interview. He was a soldier and reasoned from a soldier's standpoint. Maximilian was a Christian ruler and shrank within himself, all his nature in revolt, when the talk was of bloodshed and provinces held by the bayonet. His mind was convinced from the first that Shelby's policy was the best for him, and he leant to it as to something he desired near him for support when the crisis came. He did not embrace it, however, and make it part and parcel of his heart and his affections. Therein began the descent that ended only at Queretaro.

The Emperor did not reply directly to Shelby. He rose up, beckoned De Nove to one side, spoke to him quietly and earnestly for some brief moments, dismissed his visitors pleasantly, and withdrew. His mind, however, it appears, had been made up from the first. He was not willing to trust the Americans in an organization so large and so complete—an organization composed of 40,000 skilled and veteran soldiers, commanded by officers of known valor, and anxious for any enterprise, no matter how daring or desperate. Besides, he had other plans in view.

As De Nove left the meeting, he said to General Shelby:

"It's no use. The Emperor is firm on the point of diplomacy. He means to try negotiation and correspondence with the United States. He thinks Mr. Seward is favorably disposed toward him, and that the spirit of the dominant party will not be adverse to his experiment with the Mexicans. His sole desire is to give them a good government, lenient yet restraining laws, and to develop the country and educate the people. He believes that he can do this with native troops and that it will be greatly to the interest of the American Government to recognize him and to cultivate with him the most friendly relations. At any rate," and De Nove lowered his voice, "at any rate, His Majesty is an enthusiast, and you know that an enthusiast reasons ever from the heart instead of the head. He will not succeed. He does not understand the people over whom he rules nor any of the dangers which beset him. * * * It is no use, I say again, General; the Emperor will not give you employment."

"I knew it," replied Shelby.

"How?" and De Nove shrugged his shoulders.

"From his countenance," said Shelby. "Not once could I bring the blood to his calm, benignant face. He has faith but no enthusiasm, and enthusiasm such as he needs would be but another name for audacity. I say to you in all frankness, Count de Nove, Maximilian will fail in his diplomacy."

"Your reasons, General," said de Nove.

"Because he will not have time to work the problem out. I have traveled slowly and in my own fashion from Piedras Negras to the City of Mexico—traveled by easy stages when the need was, and by forced marches when the need was, fighting a little at times and resting a little at ease at times, but always on guard and watching upon the right hand and upon the left. Save the ground held by your cantonments and your garrisons, and the ground your cannon can hold in range and your cavalry can patrol and scour, you have not one foot in sympathy with you, with the Emperor, with the Empire, with anything that promises to be respectable in government or reliable in administration. Juarez lives as surely in the hearts of the people as the snow is eternal on the brow of Popocatepetl, and ere an answer could come from Seward to the Emperor's minister of state, the Emperor will have no minister of state. That's all, Count. I thank you very much for your kind offices to-day, and would have given a good account of my Americans if kingcraft had seen the wisdom of their employment. I must go back to my men now. They expect me early."

Thus terminated an interview that had more of destiny in it, perhaps, than the seeming indifference and disinclination to talk on the part of the Emperor might indicate. The future settled the question of policy that alone kept the ruler and his subject apart. When the struggle came that Shelby had so plainly and bluntly depicted, Maximilian was in the midst of 8,000,000 of savages, without an army—with scarcely a guard—with none upon whom he could rely—abandoned, deserted, and betrayed. Was it any wonder, therefore, that the end of the Empire should be the dead wall at Queretaro?

In the language of Edwards:

After the French left he had scarcely so much as a bundle of reeds to rest upon. Those of his Austrians and Belgians, spared by pestilence and war, died about him in dogged and desperate despair. They did not care to die, only they knew they could do no good, and, as Lieutenant Karnak said when speaking for all the little

handful, they saw the end plainer, perhaps, than any removed yet a stone's throw further from the finale.

"This last charge will be soon over, boys, and there won't be many of us killed, because there are so few of us to kill; but"—and he whispered it while the bugles were blowing—"although we die for our Emperor to-day, he will die for us to-morrow."

When the rally sounded Karnak's squadron of 70 came back with 6. Karnak was not among them.

It is idle, yet interesting, to speculate on what might have been the fortunes of Maximilian had he accepted the services of this courageous, magnetic, and resourceful ex-Confederate general. At that time, in addition to Shelby and his men, many ex-Confederates were in Mexico, among whom I mention Gen. Sterling Price; General Slaughter; General Bee; Captains Cundiff and Hodge; General Hindman; General Stevens, chief engineer of General Lee's staff; Governor Reynolds, of Missouri; Major McMurtry; Ex-Governor Allen, of Louisiana; General Lyon, of Kentucky; and General McCausland, of Virginia; Governor Harris, of Tennessee, and many other officers and privates who had followed the fortunes of the Confederacy. Moreover, thousands of the Confederates who had sacrificed everything for the lost cause were flocking to Mexico. If Maximilian had accepted the services of General Shelby and his men, undoubtedly tens of thousands of seasoned soldiers from the armies of the North and South would have enlisted under General Shelby's banner. With these forces Maximilian could have easily consolidated his Government and maintained himself in power, even after the withdrawal of the French troops. The acceptance by Maximilian of General Shelby's offer would, no doubt, have changed the whole course of Mexican history. Millions of people from the United States would have flocked to Mexico, developed her tremendous natural resources, and long before this good day Mexico would, in my opinion, have become an integral part of the United States, regenerated by our civilization, and sustained and inspired by American ideals.

Events moved quickly after the withdrawal of the French forces from Mexico. The Mexican soldiers in Maximilian's armies deserted to the Liberal army commanded by Benito Juarez. Beset by disasters on every hand, Maximilian struggled courageously against a cruel and relentless destiny. Then he thought of Shelby and realized the fatal mistake he had made in denying himself the services of this intrepid and resourceful general. He sent for Shelby, who sorrowfully told the Emperor: "It is too late now; my men are scattered; Your Majesty has waited too long."

And so it seems that "the tide in the affairs of men, which taken at its flood leads on to fortune," was omitted by Maximilian, and hence the voyage of his after life was "bound in shallows and in miseries."

Maximilian's Empire quickly collapsed, and on May 16, 1867, at Queretaro, 57 leagues from the capital, betrayed by Lopez, Maximilian and his army surrendered to a full-blooded Indian, Benito Juarez, general of the Liberal army and President of the so-called Mexican Republic. On June 14 a court-martial pronounced the sentence of death against Maximilian and his generals, Miramon and Mejia. This sentence was executed on June 19, 1867.

Empress Carlotta was absent in Europe when Maximilian's Empire crumbled before the ragged and poorly disciplined army of Benito Juarez, and Maximilian made the last lap of his earthly journey from the Convent of Capuchinas to the place of his execution, amid the ringing of church bells, and between long lines of steel, glittering in the unclouded rays of sunshine that bathed that war-torn region. Abandoned by Napoleon III, who withdrew the French armies, betrayed by Marshal Bazaine, deserted by his troops, his wife, Carlotta, haunting the European capitals pleading his cause and seeking military aid, his dream of empire dissipated, Maximilian walked to his doom in front of the ruined wall at Queretaro with a courage and heroism that won the world's admiration, his last utterance being "Poor Carlotta."

But long before the end of Maximilian's foredoomed Mexican adventure, long before he quarreled with Bazaine, whose tide of blood was inundating the land of the Montezumas, Carlotta, weary and disappointed because of her inability to enlist any European power in the failing fortunes of her husband, became suddenly ill. For days and months she was in a delirium, and when her violent illness was somewhat abated it was discovered that she was afflicted with incurable insanity. With intellect atrophied, reason dethroned, imagination violently distorted, oppressed by melancholy, and burdened with an unbearable load of sorrows for which an Infinite Providence seems to have provided no surcease, Carlotta lived—no, existed—for nearly 60 years. Her pathetic condition and the tragedy of her life won for her the sympathy of a generous world.

In May, 1870, about three years after Empress Carlotta was stricken, the European cables carried the news that the mad Empress was dying. At this time John N. Edwards, scholar, poet, biographer, and historian, was editor of the *Kansas City Times*. America never produced a more versatile or more brilliant editor than he. No greater master of pure diction ever directed an editorial pen. The genius of John N. Edwards gave him a place among editorial writers very similar to that accorded Edgar Allan Poe in the realm of poetry. There was much in the life of John N. Edwards that forcibly reminds one of Edgar Allan Poe.

So when the message came that the broken-hearted Empress Carlotta was incurably mad and dying, John N. Edwards dashed off an editorial entitled "Poor Carlotta," that in purity of diction, pathos, and appealing philosophy is probably not surpassed in the literature of the world. Joseph Addison and Samuel Johnson never wrote anything that in clarity of expression, in purity of English, in superb sentence structure, or in prose melody surpassed this editorial, "Poor Carlotta." This editorial was reproduced in the columns of practically all the great newspapers in America and Europe and was read and reread by millions, who were moved to tears by this matchless classic. The editorial was published in the *Kansas City Times* May 20, 1870, and was as follows:

POOR CARLOTTA

Dispatches from Europe say that the malady is at its worst and that the young widow of Maximilian is near her death hour. Ah! when the grim King does come he will bring to her a blessing and a benediction. The beautiful brown eyes have been lusterless these many months; the tresses of her sunny hair have long ago been scorched with fever pain; the beautiful and brave young Spartan, rich in energy, in love, in passionate devotion, knows no more the roses and lawns of Miramar; the Mediterranean brings no more from over perilous seas the silken pennon of her fair-haired, royal sailor lover; it is quiet about Lacken, where the Empress lays a dying; but time will never see such another woman die until the whole world dies.

It is not much to die in one's own bed, peaceful of conscience and weary of childbearing. The naked age is crowded thick with little loves and rose-water lines and the pink and the white of the bridal toilettes. Here is a queen now in extremity, who reigned in the Tropics and whose fate has over it the lurid grandeur of a volcano. A sweet Catholic schoolgirl she was when the Austrian came a wooing, with a ship of the line for chariot. She played musical instruments; she had painted rare pictures of Helen, and Omphale in the arms of Hercules, and Jeanne d'Arc with the yellow hair, and the pensive Roland—her of the Norman face—over whose black doom there still flits a ruddy fervor, streaks of bright southern tint, not wholly swallowed up of death. Yes! it was a love match, rare in kingcraft and court cunning. Old Leopold's daughter married with the flags of three nations waving over her, amid the roar of artillery and the broadsides of battleships. The sea gave its sapphire bloom and the skies their benison. Afar off French eagles were seen, alas! to shadow all the life of the bride with the blood of the husband. The nineteenth century witnessed the heroic epic which darkened to such a tragedy. She came to Mexico, bringing in her gentle hands two milk-white doves, as it were, charity and religion.

Pure as all women; stainless as an angel-guarded child; proud as Edith of the swan's neck; beautiful; a queen of all hearts where honor dwelt; mistress of the realms of music; rare in the embroidery she wove; having time for literature and letters; sensuous only in the melody of her voice; never a mother; it were as though God had sent an angel of light to redeem a barbaric race and sanctify a degraded people. How she tried and how she suffered; let the fever which is burning her up alive give answer. It is not often that the world looks upon such a deathbed. Yet in the rosy and radiant toils of the honeymoon, a bride came to govern an empire where armies did her bidding; and French marshals, scarred at Inkermann and Solferino, kissed with loyal lips her jeweled hand and murmured through their gray moustaches words of soldierly truth and valor. She sat herself down in the palace of the Montezumas and looked out amid the old elms where Cortez's swart cavaliers had made love in the moonlight, their blades not dry with blood of the morning's battle; upon Chepultepec, that had seen the cold glitter of American steel and the gleam of defiant battle flags; upon the Alameda, where Alvarado took the Indian maiden to kiss, who drove the steel straight for his heart and missed, and found a surer lodgment in her own.

All these were bridal gifts to the Austrian's bride—the brown-eyed beautiful Carlotta. Noble white vision in a land of red harlots, with soft, pitying, queenly face; hair flowing down to the girdle, and as true a heart as ever beat in woman's bosom. As a Grecian statue, serenely complete, she shines out in that black wreck of things a star.

It came suddenly, that death of her lover and her husband. It dared not draw near when the French eagles flew, but afterwards, what a fate for one so royal and so brave! God shielded the tried heart from the blow of his last words, for they were so tender as to carry a sor-

row they could not heal. "Poor Carlotta!" Youth, health, reason, crown, throne, empire, armies, husband, all gone. Why should the fates be so pitiless and so unsparing?

Somewhere in eternity, within some golden palace walls, where old, imperial banners float and Launcelots keep guard and Arthurs reign and all the patriot heroes dwell, her Maximilian is waiting for his bride. Long ago that spotless soul has been there. Let death come quickly and take the body and end its misery and subdue its pain. All that is immortal of Carlotta is with her husband. The tragedy is nearly over. In an age of iron and steam and armies and a world at peace it remained for a woman to teach nations how an empress loves and dies. Who shall dare to say hereafter there is nothing in blood or birth? What gentle sister, in the struggle and turmoil of life, will look away from that deathbed in Lacken Castle and not bless God for being a woman and of the sex of her who is dying for her king and her empire? Sleep! The angels have no need of sleep. Nothing suffices love. Having happiness, one wishes for paradise; having paradise, one wishes for heaven. There is a starry transfiguration mingled with her crucifixion. The crown is almost hers, and in the beautiful garden of souls she will find once more the monarch of her youth.

I have but briefly touched the interesting events in connection with General Shelby's expedition to Mexico. May I make a closing observation? The tragic fate of "poor Carlotta" and "poor Maximilian" admonishes us that whatever fate decrees men must abide. It was Schiller who said:

Stern is the onlook of necessity. Not without a shudder may the hand of man grasp the mysterious urn of destiny—vast, colossal destiny, which raises man to fame though it may also grind him to powder.

Or, in the language of Voltaire:

What unknown power governs men! On what feeble causes do their destinies hinge!

[Applause.]

Mr. GRIFFIN. Mr. Chairman, I yield to the gentleman from Alabama [Mr. JEFFERS].

Mr. JEFFERS. Mr. Chairman, I want to use this brief time to urge the consideration of a lower rate of interest than 6 per cent on loans made on the adjusted service certificates of ex-service people, and in this connection I desire to ask unanimous consent to include in my remarks, as a part of my statement, a statement which has been sent to the House Ways and Means Committee by the national legislative committee of the American Legion. I feel it would be of benefit to all Members to read this statement.

Mr. Chairman, my suggestion to all ex-service people holding these certificates is that they refrain, if possible, from borrowing on their certificates, because the amount they may borrow is so small. May I remind the House that in my speech of March 17, 1924, I called attention to the defects in the adjusted compensation bill which was before us, and at that time protested against the forcing of the bill on this House under the "gag" rule, with no opportunity for any Member to offer any remedial amendment to the bill, no matter how worthy or meritorious the amendment might be.

Permit me to repeat here now a part of my remarks of March 17, 1924:

ADJUSTED COMPENSATION

[From speech of Hon. LAMAR JEFFERS, of Alabama, in the House of Representatives, March 17, 1924]

Mr. JEFFERS. Mr. Chairman and gentlemen of the committee, I have here before me a copy of Mr. GREEN's bill, H. R. 7959, which is called the "World War adjusted compensation act."

The first print of this bill that the Members of the House received was placed in their hands about noon on Saturday, March 15, just the day before yesterday. Members of the House have had but very little time to study the provisions of this bill, and, of course, the ex-service people of the Nation have had no chance at all to learn what sort of a bill it is.

My friends, what does "adjusted compensation" mean? Adjusted compensation means but one thing, and that is adjusted pay.

Now, let us note what this bill offers in the way of adjusted pay. It says that each veteran shall be entitled to receive "adjusted-service pay" if the amount of his adjusted-service credit is \$50 or less. The fellow who is entitled to receive \$50 or less will receive his pay in actual money, something that he can make use of for his needs or purposes, according to his own judgment and desire.

But what of the fellow who is to receive more than \$50? What does he get in the way of adjusted pay?

Under this bill he receives what is termed an adjusted-service "certificate." And no matter how badly that man may be needing a little cash at once, there is no way for him to borrow a cent on that "certificate" until after he has held it for two years.

The certificate will be simply a 20-year endowment insurance policy. If the man or the woman who receives it does not happen to need any

cash and can afford to take that policy and let it run for 20 years, it will then—at the end of 20 years—have a face value of just about two and one-half times the amount of adjusted compensation that is due to the man or woman to start with.

For example, if a person is entitled to \$100 adjusted compensation, he will be given a policy which he can keep for 20 years, and it will then have a value of about \$250. A person who is entitled to about \$400 adjusted compensation will have a certificate that will be worth about \$1,000 at the end of the 20 years.

But there are thousands and hundreds of thousands of these ex-service men and women who need a little financial aid now which would enable them to start out in a new home, or to pay on a place, or for farming implements, or for a little furniture, or to pay off some obligation—there are many worthy purposes for which they may need a little cash very badly now. What of them?

If their Government says they are due this adjusted compensation or additional pay, and their Government is the greatest and the richest Government in the whole world, then these ex-service people of the Nation have a right to feel and believe that their great and rich Government could, if it wanted to, easily afford to offer them their adjusted compensation in the usual currency of the country. Any man has a right to expect to receive his pay in money, so that he may take it where he will and expend it as he deems wisest and best for his own needs and purposes.

But the bill that we have here says if he has more than \$50 coming to him he must take a policy.

If he is in urgent need of a little cash, what can he do? Is it arranged so that he can borrow anything on this 20-year insurance policy?

He can not borrow a nickel on that certificate until two years after he gets it. And what can he borrow then? He may then borrow 90 per cent of the amount of the sinking fund that is by that time applicable to his certificate. Not 90 per cent of the amount of his adjusted-compensation credit, mind you, but just 90 per cent of the value of the sinking fund as is applicable to his certificate at that time.

What does that mean? That simply means that a man who is entitled to about \$400 adjusted compensation, for example, will receive a certificate that will have a face value of about \$1,000 if he will keep it for 20 years. Now, at the end of two years from the time when he receives the policy the amount of the sinking fund that will be applied to that policy by that time will be about \$63—I believe it is \$63.67. Then how much can the man borrow? He can borrow 90 per cent of that \$63.67, or the grand sum of \$57.30. And upon that loan he must, of course, pay interest. Then, at the end of the third year he can borrow about \$39 more; at end of fourth year, about \$32 more; at end of fifth year, about \$34 more; and so on each year he may borrow in little dribbles like that. Paying interest every year on all that he has borrowed, and his annual interest may finally amount to enough to eat a big hole in all that he can borrow each year, if, indeed, it would not altogether eat up the new amount that he could borrow.

Take, for example, the case of a man who is due about \$100 adjusted compensation, and gets a certificate which will have a face value of about \$250 if he lives 20 years. Of course, he must wait the two years after he gets the certificate before he can borrow on it, no matter how badly he may need that adjusted compensation of \$100 that the Government will have said is rightfully due him, and then at the end of the two years all that he can borrow is the handsome sum of about \$14.

Think about it; these little dribbles that will be available in the shape of loans each year will eat the man's policy up so that he will not have anything at the end of the 20 years after all, and that sort of a system of small annual payments or small loans each year will run just as straight into a pension system at the end of that time as any scheme that could be devised.

Gentlemen of the House, it is an infamous subterfuge—this bill that has been ushered in here under the guise of an adjusted compensation measure. It will, I very much fear, prove to be a cheap and disappointing "gold brick" if it ever becomes a law in its present form.

Why are the administration leaders here, who are in charge of the legislative program, not willing to let the light in on this bill? Why are they not willing to allow opportunity for a fair debate here on the floor of the House on this bill? Why is it that they are not going to allow any Member of this House to offer a single amendment to this bill?

Here is one of the most important pieces of legislation that this Congress, or any other Congress, will have before it—the adjusted compensation bill affecting the ex-service people of the Nation, the people who actually saved this country and all that it contains from the ravages of the ruthless German horde. Those are the ones, my friends, in whose interests you will be legislating when you vote upon this bill—four and a half millions of the young people of this Nation. Their families and their dependents are interested. Then, too, all the taxpayers of the Nation are naturally interested in this measure.

And yet this bill is going to be forced up here to-morrow under the "gag" rule. There will be the motion to suspend the rules and pass the bill. No Member of this body will be allowed the privilege of offering any amendment whatsoever, no matter how worthy may be the amendment which the Member wishes to offer. There will not even be the opportunity to offer a motion to recommit the bill to the committee. The administration leaders have determined, it seems, to bring the bill in here to-morrow under suspension of the rules, and say, in effect, "Here is what we are going to pass as adjusted compensation for the ex-service men and women of the Nation. It is the best we will offer and we will not allow anybody any chance to offer any amendment to make it any better."

Has that sort of procedure any of the earmarks of fair play? Is that a decent way to treat this important legislation which embraces the sacred obligation of the Nation to the ex-service men and women of the Nation? Bear in mind that this House has already recognized the obligation by voting favorably three times on adjusted compensation; and if it is an obligation, it is certainly the most sacred obligation that the Nation has or could have.

No; that is not fair play. I believe that the only reason they have hit upon this plan of bringing it up to-morrow under the "gag" rule is because they know it is but a poor substitute for real adjusted compensation, and they do not dare to offer it to the House in the regular, decent way, so that the Members could discuss it on the floor and have the privilege of offering amendments, so therefore they have hit upon the plan to bring it in under the cover and protection of the well-known "gag" rule and jam it through this House in that fashion. We will have only the one vote on the proposition, I understand.

If the ex-service people could have the opportunity to take their compensation or pay in money—and in money is the way compensation or pay ought by rights to be proffered to anyone to whom compensation or pay is due—the matter could be settled expeditiously, and the cost of the cash-settlement plan would be much less than the cost of these insurance policies or any other plan. The cost of the cash-payment plan can be figured definitely while it is difficult to predict what the cost of administering these other plans will be before they are done with.

To include in the adjusted compensation bill a straight cash-payment option would not only be the quickest and the least expensive plan but it would be the most satisfactory proposition that could possibly be made to a vast number of the ex-service people for whose benefit this legislation is supposed to be intended.

And a satisfied feeling in the minds and hearts of our ex-service men and women would be the most valuable result that could come from the settlement of the adjusted-compensation question. [Applause.] That is what I want to see more than anything else. They have seen that Congress has already passed favorably on the principle of it several times, and I want them to have a right to feel that the Government has made good on the proposition that has been talked about for so long. I want them to feel satisfied in their hearts. But to those who are in need now of a little financial aid I do not see where these insurance certificates, with no borrowing privileges under two years, and then with very limited borrowing privileges, are going to be of much benefit. But if the Government says an ex-service man is due a certain amount of adjusted or additional pay, and if the Government would offer that man his compensation in money and he accepts it, then that transaction is finished, and the man could take his money and put it to whatever use as he sees fit. There would be no after-math to that in the way of continuous overhead expense to run along year after year for a long period of time, and very likely finally run right along into a pension system.

I know that the argument has been advanced by some that if these ex-service people were paid their compensation in cash they would waste it, and so it would be better for them for Congress to tell them that they can not have cash, but can have an insurance policy instead, on the theory that they would waste the cash. Now, my friends, I think any man ought to be ashamed to offer that argument.

These ex-service men and women are all adult people, just like we are here. Surely they are capable of taking a small sum of money and handling it as would best serve their own interests. What right, I ask you, has any Member of Congress to take the position that he should set himself up as the self-appointed guardian of the ex-service people of the Nation? What right have we to say to these grown men and women that they can not have this compensation in money because they would not have sense enough to handle it if they did get it? I feel that such an argument is a downright insult to them, and I do not take any stock in it. They know what they need better than anyone else knows, and I think they ought to be given the opportunity to take their compensation in cash if they want it that way, so that they can use it to their best advantage as they see fit. They would use it for necessities of life, which they are now in need of in many cases, or it would be used for different kinds of permanent investments, according to the wishes of the individual man or woman, and in any event this money would find its way rapidly into the channels of business in this country and would help business conditions in

every nook and corner of the country instead of upsetting the economic conditions of the country.

Now, Mr. Chairman and gentlemen, if there are those who must borrow whatever amount they can, even though the amount be so pitifully small—and undoubtedly there are many—they should surely not be required to pay 6 per cent interest. The Government should be just as liberal as possible with the needy ex-service people whose circumstances may be such as to compel them to borrow now; and I submit for your earnest and sympathetic consideration this letter from the national legislative committee of the American Legion wherein we find good reasoning to support their suggestion that the rate of interest should not be more than 4 per cent:

STATEMENT OF JOHN THOMAS TAYLOR, VICE CHAIRMAN, NATIONAL LEGISLATIVE COMMITTEE THE AMERICAN LEGION

Mr. Chairman and members of the Ways and Means Committee: The American Legion appreciates this opportunity of appearing before your committee on the legislation which you are now considering to amend the adjusted compensation act. The many bills before you provide that direct Government loans may be made to veterans upon their adjusted service certificates, supplemental to the bank loans already authorized under the law.

There seems to be a general feeling in this committee and in the Congress that some amendatory measure should be enacted at the present session of Congress. The American Legion is in hearty accord with this sentiment, and we urge that prompt action be taken by your committee so that the adjusted compensation act may be amended in this respect prior to adjournment on March 4, next.

While it has been the unanimous opinion of those appearing here to-day that the law should be amended, this same unanimity does not exist on the form this legislation should take. Measures are now pending before your committee and have been advocated to-day which would provide that these direct Government loans be made from the adjusted service certificate fund or from the reserve fund of the United States Government life insurance policies, and from a combination of these two funds. These funds are ample for the purpose. The certificate fund contains \$320,000,000, and the insurance fund \$211,000,000. The earnings of the certificate fund are restricted to 4 per cent by law, while the insurance fund is now earning 4.6 per cent.

Rates of interest to be charged the veterans for these loans have been suggested at 5 per cent or 6 per cent interest, compounded annually. In this connection I should like to call to the attention of the committee the following figures, which have been obtained from the United States Veterans' Bureau:

The average age of the veterans was on January 1, 1925, 33 years. The face value of the average certificate issued \$1,028.90, upon which the loan value at the average age on January 1, 1927, was \$90.53.

Experience of life insurance companies shows that policyholders' loans made against the reserve of insurance policies are rarely repaid. I believe it is the consensus of opinion that this same experience will be had with loans on adjusted service certificates, and that the vast majority of the veterans who borrow against their certificates will not repay these loans. In this event the loans will remain as a compound interest bearing charge against the policies for the 18 years in which they have to run to maturity.

There is no means of ascertaining at the present date just what proportion of veterans will borrow against their adjusted-service certificates, or what portion will regard their certificates as paid-up life-insurance policies, to be scrupulously guarded as a protection for their families or against their old age. In passing, I might say that the American Legion has consistently requested the veterans to regard their adjusted-service certificates in the same light they would paid-up life-insurance policies for which they had paid the premiums out of their own pockets. We have advised them not to borrow upon their certificates any more than they would upon such paid-up life-insurance policies.

Director Hines has told you that 3,303,000 adjusted-service certificates had been issued by the bureau up to January 1, 1927. There is no way at present of estimating the number of these veterans who will borrow upon their certificates. It was estimated this morning by one Congressman that 75 per cent of the veterans would borrow. For the sake of illustrating the point I have in mind, I will assume that one-third of the veterans will borrow against their certificates, and that of this number 1,000,000 will not repay their loans but will allow them to remain as compound-interest-bearing charges against their certificates, the face value of the loans plus the 18 years' compound interest to be deducted at the maturity of the certificate.

I should now like to submit the effects of compound interest on these loans at from 4 per cent to 6 per cent for the 18-year period of such loans.

The average loan will be \$90.53. At the end of 18 years this loan plus compound interest at 4 per cent would create a debt against the face value of the policy of \$183.40; at 4½ per cent it would create a

debt of \$199.94; at 5 per cent, a debt of \$217.87; at 5½ per cent, a debt of \$237.32; at 6 per cent, \$258.40—an indebtedness on the \$90 loan which would be \$75 greater than it would be if the interest rate is set at 4 per cent.

Should 1,000,000 men fail to repay their certificate loans and the compound interest rate be set at 6 per cent, this would mean an increased earning for the Government of \$75,000,000, which would be paid out of the pockets of the men least able to afford it—that is, the men whose poverty or necessity has caused them to borrow on their adjusted-service certificates.

Considerable discussion has been had before the committee to-day as to the increased earnings which certificate loans at 6 per cent would bring to the insurance fund, which is now earning 4.6 per cent.

The 500,000 World War veterans who have Government life-insurance policies are perhaps the most prosperous class out of the 4,200,000 veterans entitled to adjusted compensation. On the contrary, the 1,000,000 who may fail to repay their certificates are probably the least prosperous class of World War veterans.

I submit to you gentlemen that it would be manifestly unfair to charge an extra 2 per cent on the loans of the most unfortunate class of World War veterans, and donate this sum to the most prosperous class of World War veterans—the holders of United States Government life-insurance policies.

We believe that the rate of interest to be charged on these loans by the Government should not exceed 4 per cent. The adjusted compensation act provides that the adjusted-service-certificate fund shall accumulate at the rate of 4 per cent a year, and the Treasury Department has created a special form of Government indebtedness bearing 4 per cent interest, in which these funds have been invested.

We can not see the justice in the Government paying only 4 per cent interest on these invested funds and at the same time requiring the needy veteran to pay a 6 per cent return on the money out of this same fund. These are both investments, equally secured by the Government, and should therefore bear equal rates of interest.

We recognize that the present law charges the veteran 6 per cent on defaulted bank loans, which the Veterans' Bureau will assume in the future. We believe that this 6 per cent rate should also be changed to 4 per cent.

Should the rate on certificate loans be fixed at 4 per cent there would be no incentive for their investment through the insurance fund. For this reason we suggest that these loans be made directly from the certificate fund, and that the rate of interest be set at 4 per cent compounded annually—the same rate at which the Government allows the certificate fund to accumulate in the Treasury.

One more thing. The necessity of veterans requesting certificate loans is so great that they would probably accept these loans regardless of the rate of interest fixed by the Congress. It is our belief that the veteran who needs money so urgently that he feels it proper to borrow upon his certificate, would borrow just as readily if the rate were set at 6 per cent, or 8 per cent, compounded annually, as he would should the Congress set the interest rate at 4 per cent. Yet, consider the far-reaching effect the rate of interest set by the Congress will have upon the amount of money the needy veterans will receive at the maturity of their certificates.

In the opinion of the American Legion, it is the duty of the Congress to protect the veterans in this connection, so that the benefits heretofore awarded them may not be diminished through an exaction which requires the needless return of needy veterans' money to the Treasury. The veteran will not be prevented from making loans through the setting of a high interest rate. We, therefore, appeal to you to set this rate at 4 per cent compound interest, or at a maximum of 4½ per cent. This latter interest rate on 1,000,000 loans would earn more than \$16,000,000 for the Government, a sum vastly in excess of the Government expense in this connection. I do not believe that the Ways and Means Committee nor the Congress desires that the richest Government in the world shall profit at the expense of needy veterans, and it is with this thought in mind that the foregoing is submitted for the consideration of the Ways and Means Committee.

Mr. GRIFFIN. Mr. Chairman, I yield 38 minutes to the gentleman from Mississippi [Mr. COLLINS].

Mr. COLLINS. Mr. Chairman and gentlemen of the committee, I feel that I have a twofold interest in the school system of the District of Columbia in that I have two children in the schools of Washington and also because I am a property owner in the District. Therefore, I do not yield to the superintendent of schools or to anyone else a larger interest in the school system of the District than I feel that I possess myself. In the consideration of the schoolroom needs and the school-teacher needs of the District, or for that matter similar needs of any other municipality in the United States, there is a rule laid down to the effect that a school classroom ought to house 40 pupils in the elementary schools and from 30 to 33 pupils in what is known as high school; that is, the senior high school

and the ninth grade of junior high schools. The same rule applies to teachers. There should be a classroom teacher in the elementary schools for every 40 pupils and a classroom teacher for every 30 to 33 pupils in the high schools. It is an easy matter for us to determine, therefore, whether we have adequate teacher service in the schools of the District of Columbia. The proper method, of course, would be to go to the high schools and find out the number of pupils in the high schools of the District, and to go to the junior high schools and find out the number of pupils there, and to the elementary schools and find out the number of pupils there, and divide the number of pupils in each by the number of regular classroom teachers. Then we would determine in our own minds, independent of any expert advice, whether the rule has been followed in the District of Columbia or not. Therefore, in advance of the hearings I had made for me a chart giving this information. Then I averaged them by schools—elementary, high schools, and junior high schools—and I found in the District of Columbia that the average number of pupils per teacher in the high schools was 19.97, less than 20, and that the average number of pupils per teacher in our junior high schools in the District was 19.54. So that in both the high schools and the junior high schools we have less than 20 pupils per teacher. Everyone, including Doctor Ballou himself, stated that in the junior and senior high schools the average ideal classroom is from 30 to 33. He uses those words—

the ideal size class for a teacher is from 30 to 33 pupils.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. HUDSON. Did the gentleman make any survey as to how many of those teachers are male teachers in the high schools?

Mr. COLLINS. I did not.

Mr. HUDSON. Does the gentleman know that, for instance, in the Western High School, with approximately 1,500 pupils, there is only one male teacher?

Mr. COLLINS. No.

Mr. HUDSON. And he is 72 years old.

Mr. COLLINS. I did not go into that.

Mr. OLIVER of Alabama. May I ask the gentleman—

Mr. COLLINS. Let me go ahead and I think I will cover everything. Now, in the elementary schools of the District Doctor Ballou testified that the ideal size class is 40.

Mr. HOUSTON. Will the gentleman yield?

Mr. COLLINS. Not now, if the gentleman will excuse me. The average ideal size class is 40, and we find that the elementary school in the District have 31.24 per teacher, or 31 pupils, average per classroom in the elementary classroom. And mind you in these computations only the regular classroom teachers are considered. There are 437 other teachers in the District who are not considered at all in making up these calculations. Now, in these tables which I have just read you, you may ask what basis did you take, did you consider the total attendance or the total enrollment of the schools? Did you take what Doctor Ballou calls the actual enrollment as of a certain date or take the average enrollment or the average daily attendance?

I went to the best authority obtainable—to Doctor Phillips, Chief of the Division of Statistics of the Bureau of Education. He says to take what he terms the number belonging, which means the average enrollment—not the total enrollment, but the average enrollment. I submitted the table to Doctor Ballou and asked him to prepare one of his own similar to the one I had prepared, and he did so, and it is in the hearings. The only difference in it is that he figures the average number per classroom and per teacher according to a different method. He takes what he calls the actual enrollment, which amounts to practically the entire enrollment of the school. But even according to his figures the average number of pupils per teacher in the senior high schools of the District is 22, and, mind you, he is not taking into consideration special teachers. He is taking what he terms the regular classroom teachers. And what does he say should be the basis—30 to 33 pupils per teacher. In the junior high schools the average number of pupils per teacher, according to his figures, is 21.2. And as to them he says that the high-school classes in the junior high schools, which is the ninth grade, should be from 30 to 33; the elementary grades, being the seventh and eighth, should be 40. In the elementary schools of the District his figures are 35.5, and he says that 40 is the ideal size class per teacher in an elementary school. So it does not make any difference whether you take the total enrollments, as he practically does in his computation, or whether you take the average number enrolled, the high schools of the District have more teachers

than they actually need to constitute what the best authorities in this country say is the proper number of pupils per teacher.

Let us consider another table submitted by Doctor Ballou which he terms "schoolhouse accommodations, high schools, evidence of congestion." Now, he takes the different high schools and junior high schools of the District, the Business, the Central, and all the others, and he puts in one column what he terms the capacity of these schools, and in another column the excess number in actual attendance over what he terms "capacity." All of these figures amount to, according to him, an excess of 1,707 over the capacity of the schools. I have gone carefully over that table and I find that according to his own figures elsewhere given in the hearings that the high schools have 22 pupils per classroom and the junior high schools 21.2 per classroom, so this table gives us an incorrect picture of the high-school capacities of the District. There is no excess number of pupils per teacher in the high schools of the District.

Mr. COLTON. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. COLTON. Does Doctor Ballou submit these figures to his board? Who assists in the preparation of them? May I say to the gentleman that the reason for my asking the question is that if we can not rely upon the superintendent for accurate information, who is there behind him or back of him to whom we may go for reliable information?

Mr. COLLINS. Oh, I do not know who prepared the figures. I know they were furnished to this committee. I know of the misleading conclusions that I am able to find in them.

Mr. COLTON. I will say to the gentleman, if he will permit, that I have made some little investigation concerning the schools here, and it seems to be the general sentiment everywhere that the schools are not adequately provided for.

Mr. COLLINS. It is a simple matter for the gentleman to determine for himself. Take the average enrollment of the high schools and the number of teachers in them and divide the one by the other will give the gentleman the information he seeks—and so with the junior high schools and the elementary schools. And bear in mind that Doctor Ballou says that 40 per teacher is an ideal size class in the elementary schools and from 30 to 33 in the high schools.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield there for a moment?

Mr. COLLINS. Yes.

Mr. OLIVER of Alabama. It occurs to me that in not going further than the gentleman is going he is perhaps limiting himself to too narrow a basis. The school activities should be taken into account and the number of classes that are taught. There are some schools that teach very few classes and others that teach many, and the number of classes taught during the day should be an item entering into the question.

Mr. COLLINS. Yes; taking the matter up in line with what the gentleman from Alabama has just stated, the figures I have just given are based on 499 high-school teachers. These are Doctor Ballou's figures. There are 415 classrooms in the junior high schools. They have 262 regular classroom teachers in junior high schools and 242 classrooms. In the elementary schools there are 1,492 teachers and 1,414 classrooms. And, mind you, those teachers added together are 437 less than the total number of teachers in the District. In other words, there are 437 teachers that are teaching music and art and the different special subjects about which Mr. OLIVER has just spoken.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. SNELL. Where did the gentleman get his information in regard to these various teachers and pupils? Who compiled your information, which you say is much more accurate than that which came from the superintendent of schools?

Mr. COLLINS. The table from which I have largely quoted was furnished by Doctor Ballou, except that I use what Doctor Phillips, the chief of the division of statistics in the Bureau of Education, says is the proper method of computation, whereas Doctor Ballou uses his own method.

Mr. FUNK. We also got information from the representative of the Parent-Teachers' Association, which represents the parents of the children who attend the schools; and apparently those parents have as great an interest in the school facilities and the number of teachers and the activities of the schools as any other people.

Mr. SNELL. But that is not the only thing under consideration in this discussion.

Mr. COLLINS. The figures I have used are as of November 1 and were obtained from Doctor Ballou's office.

Mr. SNELL. Who took those figures?

Mr. COLLINS. Mrs. Bannerman made up the first table from records in the superintendent's office. Then Doctor Bal-

lout furnished the committee with a similar table. The tables mean nothing, except that I wanted listed the number of classroom teachers and the whole enrollment, the average daily attendance, and so on. The figures in each table, however, you may be sure, are substantially the same as the figures furnished by Doctor Ballou, except, as I said, I used the average enrollment as a basis for figuring the number of classrooms per teacher, and he uses what he calls the actual enrollment.

For instance, in the elementary schools, according to his figures, he says the total enrollment is 52,660 pupils in the elementary schools and the whole enrollment is 52,694. In other words, his actual enrollment is just 34 under the total enrollment.

Mr. SNELL. I am not familiar with the figures; but I would take this position, that I would expect a gentleman in Mr. Ballou's position to know just as much about the general conditions and to be as well qualified to speak as the Parent-Teachers' Association. I have nothing against the Parent-Teachers' Association, but I would suppose that the figures he prepared and presented would represent the actual conditions that exist rather than the figures made by somebody outside, not acquainted with the whole proposition, who picked off figures from the records in his office.

Mr. COLLINS. I told the gentleman that there was no difference in the figures. The number of teachers in each table is practically the same. The number of pupils is practically the same in each column, except that Doctor Ballou uses a method of calculation not accepted by the United States Department of Education. Instead of using the figure of 52,660, which he says is the actual enrollment, I use 50,670, because that is the average number belonging to the elementary schools of the District, and Doctor Phillips, the chief of the division of statistics in the Bureau of Education, says that is the proper figure to use.

Mr. SNELL. I understand part of it. I did not understand it entirely. I admit my inability; but the impression which the gentleman gave to the House, as I understood, was that the figures given by Doctor Ballou were not accurate and could not be depended upon and that the statement of the Parent-Teachers' Association should be accepted.

Mr. COLLINS. No. I stated that the figures Doctor Ballou gave were misleading.

Mr. SNELL. I would not put up my knowledge against that of the gentleman; but I have known Doctor Ballou for a number of years, and I do not want that statement to go unchallenged, because I do not think he is that kind of a man.

Mr. COLLINS. That is just a difference of opinion.

Mr. SNELL. That is true; it is a difference of opinion, but I did not want that to go unchallenged, because I do not think he is that kind of a man.

Mr. ARENTZ. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. ARENTZ. You mean to say by referring to the actual enrollment, that if on September 1 there were 50,000 pupils enrolled and there should be 10 or 100 die or 100 move some place else, that the actual enrollment on the 1st of October would be 50,000 less the number that had moved away?

Mr. COLLINS. The total enrollment covers everybody who has ever had their names on the books. The proper method is to take the average number whose names have been on the rolls and use that. Let me read you what Doctor Phillips says and maybe we can clear it up:

I might add that by average number belonging we mean the average number of pupils that are carried on the register and who are being recorded each day as present or absent. It does not include those who have been enrolled but are dropped for any reason. School systems differ in regard to the length of time pupils are carried before being dropped. In some States the pupil is dropped after he has been absent for three consecutive days. In other States he is carried on the register as long as he lives within the district whether he attends school or not. Lack of uniformity in regard to the definition of when a pupil belongs to a school renders this item a little bit unstable as a basis for determining school costs, although it is an excellent basis for use in a school building program. As a rule we do not build churches especially for Easter Sunday but for the regular congregation. While school attendance does not fluctuate as much as does church attendance, the same principle holds. A district can not afford to construct buildings for the peak of enrollment, and on the other hand, can not ignore the regular enrollment as shown by the average number belonging. As long as the child is on the register, even though temporarily absent for good and sufficient reasons, the school authorities find it necessary to make provision for him upon his return.

Mr. SCHAFER. Will the gentleman yield right there?

Mr. COLLINS. Yes.

Mr. SCHAFER. For instance, you state—

Mr. COLLINS. I will answer a question, but I will not yield for a statement.

Mr. SCHAFER. All right. How can you use your average attendance and keep within a certain limit of pupils per schoolroom, because in one certain month you will have a high average while in other months you will have a lower average?

Mr. COLLINS. I am taking the average enrollment.

Mr. SCHAFER. Then in some months you are going to have—

Mr. COLLINS. I am taking the average enrollment to November 1, the latest date obtainable. The gentleman from New York made some statement with reference to Doctor Ballou's figures. We had Doctor Ballou before this same committee last year, and he estimated for two junior high schools, his teacher needs for two junior high schools, to wit, the Francis Junior High School and the Stuart Junior High School. He stated that each one of them would be completed during the fiscal year 1927; that they had 24 schoolrooms each; and he asked us to provide teachers for those two junior high schools, and we provided him with teachers for them, and he comes before this committee again and asks us for teachers this year for these same two junior high schools, and they have not been completed yet.

Mr. ZIHLMAN. Will the gentleman yield?

Mr. COLLINS. Yes.

Mr. ZIHLMAN. I notice in the hearings that the gentleman differed very materially with Doctor Ballou as to the number of teachers; that he estimated there were 221 less teachers than Doctor Ballou said there were.

Mr. COLLINS. No; the gentleman just did not read enough of the hearings. The gentleman did not read the hearings correctly.

Mr. ZIHLMAN. Then you do not differ with him as to the number of teachers?

Mr. COLLINS. The total teachers of the District is 2,681. Now, let us consider another aspect of the case. Here is a table which gives the actual number of enrollment in the schools. I am taking the total enrollment of the schools. Certainly that ought to satisfy anybody.

In 1916 this total enrollment was 59,526, and in 1926 it was 74,903. His teachers in 1916 were 1,787, and his teachers at the present time are 2,681. Now, if you take the difference between the total enrollment in 1926 and the total enrollment in 1916 and the increase in teachers provided for the schools you will find that Congress is giving him an increase of a teacher for every 17 new pupils enrolled in the District schools—17—and certainly that ought to satisfy even the gentleman from New York [Mr. GRIFFIN]. Now, that increase covers all of the schools, the elementary schools, high schools, and junior high schools. Nobody can justly claim we have been niggardly with Doctor Ballou in providing him with teachers.

Mr. KETCHAM. Will the gentleman yield for a question?

Mr. COLLINS. Yes.

Mr. KETCHAM. Your statement, of course, is very fair, provided, of course, it is based upon the proposition that in 1916 there was an adequate teaching force.

Mr. COLLINS. Oh, there are in the schools of the District of Columbia 437 teachers other than regular classroom teachers in junior and senior high schools and the elementary schools. They have what they call the I. Q. superintendent—intelligence quotient superintendent—who has around 25 teachers under her who do clerical work. We have schools in this District, the atypical schools, where the average daily attendance is scarcely nothing, one with a teacher for one child in average daily attendance.

Mr. KETCHAM. Of course, the gentleman understands that these new developments, for instance, along the I. Q. line, are in line with what is being undertaken in other sections?

Mr. COLLINS. Oh, this work is of uncertain value. You can take \$1,200 clerks and perform this same service.

Mr. KETCHAM. Will the gentleman just permit a statement?

Mr. COLLINS. I can not yield for a statement, but I will permit a question.

Mr. KETCHAM. Then I will put it in the form of a question. Does not the gentleman feel—

Mr. COLLINS. If the gentleman is going to put it that way, I do not yield.

Mr. KETCHAM. Of course, if the gentleman does not care to yield—

Mr. COLLINS. I decline to yield.

Mr. KETCHAM. All right; I will remember that.

Mr. COLLINS. Very well.

Mr. KETCHAM. Well, we will just let it go at that.

Mr. COLLINS. I asked Doctor Ballou to furnish to this committee a table prepared by the United States Bureau of Education, which gives the cities of over 100,000 population and more, and likewise the average daily attendance of schools in these cities, and the per capita cost, as well as the total current expenses of their schools; and the total average pupil cost in the District of Columbia is \$120.67.

Let us now figure what that amounts to to the taxpayers of the United States and the District of Columbia. Suppose we added one child to each teacher of 2,681. This would be 2,681 new pupils. What would that cost, multiplied by this figure of \$120.67 per child? The total would be \$322,000. In other words, if the same teacher force would take care of one more child per teacher we would save \$322,000; and still that does not give the whole picture, because in it we have not estimated anything for the housing of the child. Under the administration of Doctor Ballou the addition of 2,681 pupils to the schools of the District would cost the District nearer \$1,000,000.

In this connection there are only three cities on this list with a higher per capita cost than the District of Columbia; and, mind you, every city listed has a bonded indebtedness except the city of Washington, and if this city had a bonded indebtedness, the cost would be even greater than it is now.

Let us go further with reference to this particular table. Let us consider maintenance of the school plant, which means repair of buildings, the cost in the District amounts to \$8.16 per child. In the last 10 years this item per child has increased in the District of Columbia from \$2.23 to \$8.16, and this year it will be still more. The fixed charges in District schools are lower than in most of the cities, and this is because of the fact that interest on bonded indebtedness is figured in the fixed charges and there is no bonded indebtedness on the schools of the District of Columbia.

Mr. HUDSON. Will the gentleman yield for a question?

Mr. COLLINS. Yes.

Mr. HUDSON. With respect to the figures the gentleman gave a moment ago on maintenance, did the committee find any reason for this great increase in these years?

Mr. COLLINS. I will cite the gentleman one case. I asked some one to furnish the committee with a list of the amounts that had been expended on new school buildings for repairs and preparation of grounds, and so on. This was furnished. I found in that list an item of \$201 and some odd cents for the removing of a tree. I can take two colored men from my home town, bring them to the city of Washington, pay their railroad fare and the cost of living in Washington for a day, and pay them \$5 a day while they are here, and cut down that tree and remove it, pay their expenses and railroad fare back home, and save money for the District on the transaction. [Laughter and applause.]

Mr. Chairman, the superintendent of the District schools would have the public believe that he is fighting singly and alone the battle for the school children of the District of Columbia, and that the Appropriations Committee by their failure to provide for every item favored by him has done irreparable injury to the educational system of the District. There is nothing strange about this position. It is always assumed by those who wish to justify erroneous contentions. I am a taxpayer of the District of Columbia and have two children in the schools of the District, and hence I feel that I have an equal interest in the welfare of the schools with Doctor Ballou. I know that other members of the Appropriations Committee are similarly interested in the District's schools. The only question we have to decide in passing on school appropriations is whether Doctor Ballou's program of extravagant expenditures is to be favored and encouraged or whether the schools should be administered wisely and in line with the thought of the best educators throughout the country.

I propose to show to this House that Doctor Ballou's program is extravagant, wasteful, unwisely planned and administered, and seems to be conceived and promoted for the benefit of persons other than the school children.

Let us consider, first, the teaching staff according to school population. Doctor Ballou's testimony before the subcommittee, on page 539 of the Hearings of the Subcommittee of the House Committee on Appropriations, 1928, states that 40 pupils per teacher in the elementary schools is in line with an ideal school estimate and that around 30 or 33 pupils per teacher for the high schools is an ideal size class. All this means that a teacher in the elementary schools should not have over 40 pupils under her and that a high-school teacher should not be required to teach a high-school class of over 30 or 33 pupils.

I have taken the schools of the District of Columbia as they appear from the records in Doctor Ballou's office as of November 1, 1926, and find that the average number of pupils per

teacher in all high schools is 19.77 and that the average number of pupils per teacher in all junior high schools is 19.54 and that in the elementary schools the average number of pupils per teacher, not including atypical, ungraded, and special schools, is 31.24, and the average number of pupils per teacher for the entire District of Columbia is 23.1. A complete table by schools, taken from records in Doctor Ballou's office, I am inserting as Exhibit A. I requested Doctor Ballou to furnish the subcommittee with a table giving the same information as is contained in Exhibit A as of November 1, 1926, and this he furnished the committee, and it appears on pages 544, 545, 546, 547, and 548 of the hearings, and this table gives the number of pupils per classroom teacher in the senior high schools as 22; and in the junior high schools, 21.2; and in the elementary schools, 35.5; and, according to the tables furnished us by him, he is below his ideal-size class in every instance, and I might add in this connection that he deliberately made his pupils per teacher as high as was possible by using a method of computation flagrantly at variance with all proper and standard methods of making such computations. He uses what he terms actual enrollment, an unheard-of method, and figures which are about the same in size as the total enrollment of the schools. To illustrate: His table shows that there were 52,694 pupils in the elementary schools, and what he terms "actual enrollment" is 52,660—just 34 below total enrollment. And in many instances his "actual enrollment" at many schools is shown to be more than his total enrollment, something to my mind that is inconceivable. What he should use is the average number of pupils belonging to the schools. This does not mean average attendance.

It means the average number of pupils that actually belong to the schools or the average number carried on the rolls of the school. The following excerpt from a letter written January 14, 1925, by Dr. Frank M. Phillips, chief of the division of statistics of the Bureau of Education, gives this as the correct method of computation:

I might add that by "average number belonging" we mean the average number of pupils that are carried on the register and who are being recorded each day as present or absent. It does not include those who have been enrolled but are dropped for any reason. School systems differ in regard to the length of time pupils are carried before being dropped. In some States the pupil is dropped after he had been absent for three consecutive days. In other States he is carried on the register as long as he lives within the district, whether he attends school or not. Lack of uniformity in regard to the definition of when a pupil belongs to a school renders this item a little bit unstable as a basis for determining school costs, although it is an excellent basis for use in a school-building program. As a rule we do not build churches especially for Easter Sunday, but for the regular congregation. While school attendance does not fluctuate as much as does church attendance, the same principle holds. A district can not afford to construct buildings for the peak of enrollment, and, on the other hand, can not ignore the regular enrollment as shown by the average number belonging. As long as the child is on the register, even though temporarily absent for good and sufficient reasons, the school authorities find it necessary to make provision for him upon his return.

And I might further add that the teachers that are listed in my Exhibit A are the regular classroom teachers and Doctor Ballou's table on pages 544 to 548 are regular classroom teachers. They do not include the school librarians, music, drawing, physical training, manual training, domestic art, domestic science, gardening, speech correction, visual instruction, nor the supplementary teachers, who include coaching, research, and annual substitute teachers, nor have been included the teachers in the normal schools, vocational schools, the atypical, ungraded, Americanization, and health teachers.

To illustrate: The table on page 561 of the hearings show that the total number of teachers, including teaching principals, as 2,681, while the teachers in the senior high schools are 499 and in the junior high school 263 and the elementary schools 1,482, or a total of 2,244 teachers, which means that there are 437 other teachers provided for the other teaching activities of the schools of the District.

Many of the tables that are inserted in the hearings by Doctor Ballou are wholly untrustworthy and can not be used for the guidance of persons seeking correct information about the schools of the district. Take the table on page 602 of the hearings, which he submits to show congestion in the high schools. This table undertakes to show that an excess over capacity exists in the 15 senior and junior high schools listed in the table as 1,707. A mere reference to another table furnished by him, which I have already referred to and which can be found on page 545, gives the number of pupils per classroom teacher in the senior high schools as 22 and the number of

pupils per room as 24.6, and, mind you, his computations are made on figures that are almost identical with the total enrollment of the schools. If they were based on the number belonging, as they should be, they would average for high-school teacher 19.77 and for other junior high school 19.54. I am submitting a table fully setting out the facts in each school and am marking it "Exhibit B."

Let us now consider that actual request of Doctor Ballou, a request that the committee saw fit to deny, and that was the request for 74 new teachers. He states in a table on page 535 that 25 of them are for the elementary grades, 44 for the junior high schools, and 5 for the senior high schools, making a total of 74. See page 536. He bases his net average for elementary teachers on the average annual increase in the enrollment in the elementary schools, which he says during the last year has amounted to 891 pupils. I have already shown by his own figures that there was no basis for this plea for additional teachers, because, according to computations made by me on the average number of pupils per teacher belonging in the schools of the District, this average is 31.24, and according to Doctor Ballou's table, which, as I have before stated, is based on a figure practically equal to the enrollment, the average number of pupils per teacher in the schools is 35.5, so there is certainly no necessity for an increase of teachers in the elementary schools.

Now, with reference to the junior high schools, 23 of the teachers needed are for the Garnet-Patterson and the Gordon Junior High Schools, and neither of these schools will be ready for occupancy during the fiscal year 1928. Of the rest of the 44 estimated as needed in junior high schools, 2 are for the Hine addition, 7 for the Francis, 3 for the Randall, and 7 for the Stewart.

Now, as to the Stewart, it is a 24-room building, and Doctor Ballou, on page 693 of the hearings on the District appropriations for 1927, stated that this school would be completed during the fiscal year 1927 and he estimated his total teacher needs for the school and the Congress gave them to him, and this year he undertakes to fudge on us and requests teachers for this same school again. He likewise requested teachers for the Francis Junior High School, which he stated would also be completed during the fiscal year 1927, and we gave him the total teachers that he needed to take care of the needs of this school, and now he undertakes to fudge on us by requesting teachers for this school, when we have already provided him with all the teachers' service that he said was needed. He says he needs five teachers for increased enrollment in the high schools and in his statement last year on school needs he tells us on page 693 of the hearings that about one-third of the room in junior high schools will be occupied by 9A and 9B grades and will correspond with the freshman classes now in the senior high schools, thus the senior high schools will be relieved of congestion to that extent. In other words, every time a junior high school is constructed relief is extended to senior high schools and high school teacher force and so from his own testimony there is no necessity for additional teaching force in the senior high schools, especially since it has been shown that the high-school attendance is between 19 and 20 pupils per teacher.

The truth is that Doctor Ballou's statements are frequently inconsistent, at variance with former statements, unreliable and seem to be made for the purpose always of bolstering up unnecessary, unwarranted, and extravagant expenditures. For instance, on page 692 of the hearings last year, in discussing the average annual increase in enrollment in the elementary schools, from 1914 to 1920, he stated this enrollment was 780 pupils and from 1920 to 1924, he stated it was 870 pupils and for the whole 10-year period he stated it was 813 pupils. This year, on page 535 of the hearings on the bill for 1928, he says the average increase in enrollment in the elementary schools during the last five years was 894 and during the last 10 years, 1,021. His increased enrollment last year in the elementary schools he puts at 780, which would certainly make his figures given the committee this year untrustworthy and wholly at variance with past figures. He gives on page 566 the increase in enrollment up to December, for all the schools, as being 981.

The superintendent of schools in his requests for additional teachers always makes these requests on what he terms estimated increases in enrollments, and he makes these estimates for the high schools and the elementary schools, but makes no estimates for the junior high schools, but testifies that he considers the ninth grade in the junior high schools as belonging to the high schools and the seventh and eighth grades in junior high schools as belonging to the elementary schools. Upon these estimates, which have always been largely in excess of average enrollments, Congress has heretofore given

him large increases in the number of teachers. Of course, teachers should not be selected on the basis of enrollment, as I have already fully pointed out, but should be provided for on the basis of the average daily enrollment of the schools, which are termed average number belonging. But let us consider the subject as Doctor Ballou wishes us to, and we find that the total enrollment of the schools for 1916 was 59,526 and for the year 1926 it was 74,903, and this gives us a net increase in enrollment of 15,377, and his number of teachers in 1916 was 1,787 and his number of teachers in 1926 was 2,681, which gives us a net increase in teachers of 894. In other words, the Congress has provided him with a new school teacher for every 17 pupils enrolled in the schools of the District of Columbia since 1916.

The whole truth about the matter is that these increases in teachers have not been going into the schoolrooms. Many of them are fad teachers and many others of them are used in departments where clerks could do the work equally well and would cost the Government less money.

Now, let us next consider his plea for additional classrooms. As usual, he furnishes us with a table which he terms accumulated shortage in classrooms as of November 1 of each year. This table appears on page 602 of the hearings, and in it he lists, first, 65 classrooms to eliminate 65 portables. I attach it, marking it "Exhibit C." Portables are small frame school-houses that are provided for schools that are not sufficiently equipped with schoolrooms to supply school needs. Personally I seriously doubt if the number would be decreased even were we to go so far as to build twice as many school buildings as have already been constructed, for they are used for propaganda purposes pure and simple. Of course, this does not mean that they are not sometimes needed, for they are sometimes needed in sections of the District that have been built up rapidly.

I am submitting as Exhibit D a table containing all of them that I have been able to discover from the school records, 62 in all, and the table names the schools to which they are attached, the number of pupils per classroom at each school according to the average number belonging, and also the number of pupils per classroom according to the imperfect method used by Doctor Ballou. According to this table, the average number of pupils belonging per school at which the portables are located amount to 38.5, and according to Doctor Ballou's imperfect method of computation the average per classroom at the schools where they are located is 40.4. The elimination of Maryland and Virginia children from District schools would greatly reduce the number of portables in some schools. But even with these children in the schools a carefully thought-out building program, conceived only in the interest of the school children, would have already relieved this situation, and this could have been accomplished with smaller appropriations than have been spent during the régime of Doctor Ballou.

He next lists as necessary 24 schoolrooms to eliminate rented quarters. I have gone over the list which he submits to the committee, which appears on pages 621 and 622 of the hearings. The list gives the location of the rented properties. It appears as Exhibit E. I am unable to determine how he is able to figure that it is necessary to build 24 schoolrooms to take care of the activities now conducted in these rented properties. Three of these rented properties are for school gardens, and certainly no schoolrooms are needed to take their places. One rented is the Friendship Baptist Church, and is now used for certain activities of the Randall Junior High School Annex. It has already been vacated. Five of them are for atypical classes, where a total of about 30 children are being taught, and it is very much better for these schools to be conducted in rented buildings than in regular old-type school buildings, because there is no regularity of attendance with atypical children, and then this class of children does not always exist in the same localities. Four of them are taken up with cooking and sewing classes and household arts, and the last one is a vacant piece of ground, where are located the portables of the Wilson School. A school superintendent must be possessed of a highly inventive mind to be able to conjure up a classroom shortage out of this list equal to 24 rooms. Certainly, if huge expenditures are to be made for school buildings, this is not the place to begin. I submit a list giving cost of rented space and buildings and have marked it "Exhibit E."

He next states that it is necessary to build 22 classrooms to eliminate undesirable rooms. This is a matter that no one could discuss unless he was able to inspect the so-called undesirable rooms, which no member of this committee has been able to do.

He next lists in his table the necessity to build 42 classrooms to reduce oversize classes. If he means by this item that there are 42 oversize classrooms in the District, the committee has

already taken care of this item, because the table furnished by Doctor Ballou to the committee shows (p. 643 of the hearings) that the Garnet Patterson Junior High School, which has already been authorized and which will be built this year, will take care of 49 oversize classes, more than the number mentioned above and referred to in Doctor Ballou's table on page 602. He certainly means that there are only 42 oversize classes in the District. And, certainly, figures elsewhere given by him, particularly on pages 544 to 548, show that the average number of pupils in the junior high schools are 21.2 and in the high schools 22 and in the elementary schools 35.5, and in the schools as a whole 30.29 average.

The next item is 130 classrooms to eliminate 125 part-time classes in grades 1 and 2 and five part-time classes in grades above the second grade. It is my opinion that this item is carried merely for the purpose of promoting a big ground buy and building program. It has always been my understanding that little tots, such as go to the first and second grades, should not be required to work over three hours per day, as their little minds should not be overworked, and schoolroom activities for a longer time than this is an injury rather than a help to children of their tender years.

In his next item he says it is necessary to build 156 classrooms to take care of classrooms located in buildings that should be abandoned.

I have discussed each of these items in my Exhibit F, and in this connection I call attention to Doctor Ballou's other table mentioned on page 563 of the hearings, and from my analysis and his table just referred to these could be easily reduced from 156 down to 48, and with reference to these 48 classrooms they are in schools that at least equal in general appearance and school suitability others in the District which have not been recommended for abandonment and which are generally classed as reasonably good school buildings.

The United States Bureau of Education publishes each year a table giving the per capita cost in city schools of cities of over 100,000 population and more, and I asked Doctor Ballou in the hearings to furnish this table to the committee, and he has done so, and it appears on page 549 of the hearings. This table I make an exhibit and mark "Exhibit G." In the consideration of the table it is well to remember that every city listed has a bond issue except the District of Columbia, and

the per capita cost of the District schools would be larger than it is were it not for the fact that the District is free of a bond issue, so this fact should be taken into consideration in an examination of the table. Notwithstanding this fact, however, only three of the cities listed have higher per capita cost than the District, whose per capita cost is \$120.87. This cost has mounted materially during the last two years, for in 1923-24 it was \$99.86.

Only two of the cities listed have a higher instruction cost in the day schools than the District, whose instruction cost per child is \$95.96.

And only three listed have a school-plant operation cost higher than the District, whose cost per capita is \$11.86. In this connection it is well to note the fact that every city listed is in a colder climate than the District of Columbia, and hence the operation cost of their school plants would naturally be higher than the District; still there are only three that are higher. The maintenance of the school plant in the District of Columbia is \$8.16 per capita. There are only three cities listed with a per capita cost for maintenance higher than that of the District. In this connection, I might add that the cost of maintenance of the plant in the District has gradually grown year by year from 1916 down to date. In 1916 it was \$2.23, and for this year it is estimated to be around \$9. With reference to the tabulation of fixed charges, it is not necessary to mention this, because there is no bonded indebtedness in the District, and interest on bonded indebtedness is usually covered in fixed charges.

Unnecessary and wasteful expenditures on school plants and a high and out of proportion number of teachers per school population is reflected in the per capita cost of school children; and to bring home to you the magnitude of this, I direct your attention to this one illustration: There are 2,681 teachers now in the District of Columbia schools. A difference of one pupil per teacher throughout the system would make a total difference of 2,681 pupils, and figuring the per capita cost of each child at the now prevailing per capita cost in the District at \$120.87, the prevailing per capita cost would give us the enormous figure of \$322,000. During the last four years we have gone down from 26.19 children per teacher to 23.4 for last year, and this is one of the large reasons why the per capita cost in the District schools is steadily mounting.

EXHIBIT A
[Nov. 1, 1926]

	Number of teachers	Number of classrooms	Enrollment	Average daily attendance	Average number belonging	Pupils per teacher, column 4 ÷ column 1	Pupils per classroom, column 5 ÷ column 2
	1	2	3	4	5	6	7
WHITE SCHOOLS							
FIRST DIVISION (MR. B. W. MURCH, S. P.)							
Addison	8	8	265	251	262	31	32
Brown, E. V.	26	16+3P=19	973	912	946	35	49
Conduit Road	1	1	37	31	34	31	34
Corcoran-Jackson	18	8+8=16	599	549	575	30	36
Curtis-Hyde ¹	22	9+8=17	719	666	704	30	41
Eaton, John	28	16+1P=17	899	839	872	29	51
Fillmore ¹	10	8	362	327	347	32	43
Industrial Home	3	4	65	58	60	19	15
Reservoir	6	4+1P=5	204	189	198	31	39
Tenley-Janney	17	8+8=16	518	480	504	28	31
Grant	10	12	328	304	317	30	26
Oyster	8	8	205	186	195	23	24
Toner	5	8	129	104	115	20	14
Weightman	8	8	222	206	216	26	27
	170	134—P and R		5,102	5,345		462
SECOND DIVISION (MISS JANET McWILLIAM, S. P.)							
Dennison	7	12+9 (Berrett)	139	127	134	18	(U. G.) 11
Thomson	23	18	664	591	625	26	34
Morgan	8	8	262	238	249	29	31
		43		956	1,008		
THIRD DIVISION (DR. E. G. KIMBALL, S. P.)							
Barnard	9	8	334	316	330	35	41
New Brightwood	7	16	237	224	232	32	(A. T.) 14
H. D. Cooke	25	20+1P=21	762	714	740	28	35
Hubbard-Raymond	16	8+8=16	521	494	511	31	(U. G.) 32
Johnson-Bancroft	23	8+9=17	790	735	766	32	45
Keene	8	4+3P=7	177	165	172	20	24
Petworth ¹	26	16+6P=22	868	821	859	31	39
Ross	6	8	184	175	182	29	22
Takoma	22	16+2P=18	775	733	761	33	42
Truesdell	18	12+4P=16	666	620	640	34	40
West	21	16	692	656	686	31	42
Whittier	9	8	232	215	224	24	28
	190	157		5,869	6,103		404

¹ Gets relief from junior high.

² Provided for in 1927.

EXHIBIT A—Continued

	Number of teachers	Number of classrooms	Enroll- ment	Average daily at- tendance	Average number belonging	Pupils per teacher, column 4 ÷ column 1	Pupils per classroom, column 5 ÷ column 2
	1	2	3	4	5	6	7
WHITE SCHOOLS—Continued							
FOURTH DIVISION (MISS MCWILLIAM, S. P.)							
Force-Adams.....	23	12+8+1p=21.....	725	657	690	28	33
Henry-Polk.....	19	12+8=20.....	503	460	501	24	25
	42	40.....		1,117	1,191		55
FIFTH DIVISION (MR. S. M. ELY, S. P.)							
Brookland-Bunker Hill.....	19	12+2+2p=16.....	694	640	671	34	42
Burroughs.....	13	8+1p=9.....	492	467	483	36	53
Emery-Eckington.....	28	16+8=24.....	937	877	926	31	38
Gage.....	14	12.....	340	323	335	23	26
Gales-Arthur.....	22	12+8=20.....	694	624	666	28	33
Langdon.....	18	10+1p+4p=15.....	608	572	593	32	39
Monroe.....	20	16.....	542	509	533	25	33
Parkview.....	34	16+5p=21.....	1,002	967	997	25	47
Seaton-Blake.....	20	12+8=20.....	660	590	630	29	21
	188	140.....		5,569	5,834		
P. 2.....	628	T514.....					
	396						
Total.....	1,024						
Aty., ungr., etc.....	43						
White elementary.....	1,067						
Colored elementary.....	552						
Total elementary.....	1,619						
White high schools.....	619						
Colored high schools.....	207						
Total.....	2,445						
Total employed.....	2,690						
Special itinerant, music, art, etc.....	225						
SIXTH DIVISION (MISS A. DAVIS, S. P.)							
Benning.....	8	7.....	244	231	241	29	34
Blair-Hayes.....	23	8+8+2p+1p=19.....	762	708	738	31	38
Blow.....	8	8.....	237	222	233	28	29
Carbery.....	9	8.....	303	282	292	31	36
Edmunds-Maury.....	22	8+8=16.....	766	723	759	33	47
Kenilworth.....	4	4.....	141	132	138	33	34
Kingman.....	10	8+1p=9.....	343	320	331	32	37
Ludlow-Taylor.....	19	8+8=16.....	616	585	610	31	38
Madison.....	9	8.....	312	299	307	33	38
Peabody-Hilton.....	27	12+8+1p=21.....	835	780	814	29	39
Pierce-Webb.....	19	8+8=16.....	631	592	620	31	39
Wheatley.....	18	20.....	743	705	733	39	36
	176	138—P. and R.....		5,579	5,816		445
SEVENTH DIVISION (MISS E. A. HUMMER, S. P.)							
Brent-Dent.....	16	8+8=16.....	489	463	477	29	29
Bryan.....	18	12+2p=14.....	656	625	647	35	46
Buchanan.....	20	16.....	736	691	718	34	49
Congress Heights.....	15	12+2=14.....	540	485	522	32	37
Crutch-Tyler.....	21	8+8=16.....	694	654	693	31	44
Ketcham-Van Buren.....	19	8+14=22.....	658	618	641	32	29
Lenox-French.....	12	8+1p+5R=14.....	266	257	271	21	19
Randle-Orr.....	12	8+4=12.....	398	374	391	31	32
Stanton.....	3	4.....	80	73	78	24	19
Van Ness.....	8	8.....	193	169	182	21	22
Wallach-Towers.....	20	14+8=22.....	679	638	666	32	30
	164	140.....		5,047	5,286		356
EIGHTH DIVISION (MISS MCWILLIAM)							
Bradley.....	9	8.....	320	296	311	33	39
Fairbrother-Bowen.....	13	8+8=16.....	475	443	471	34	29
Greenleaf.....	8	8.....	257	169	180	21	(A T) 22
Amidon.....	9	8.....	321	291	316	32	38
Smallwood-Bowen.....	17	8+8=16.....	476	430	467	25	29
	56	56.....		1,629	1,745		157
	396	T 334.....					958
NINTH DIVISION (MR. B. W. PATTISON)							
Atypical:							
340 G Street NE.....	2	5 rented.....	29	25	28	12	5
Congress Heights Annex.....	1	2.....	6	5	5	5	3
809 East Capitol Street.....	3	6 rented.....	48	40	43	13	7
Industrial Home.....	1	11.....	13	11	11	10	
Fourteenth and Lawrence NE.....	1	1 rented.....	11	10	11	7	11
New Brightwood.....	1	Building report.....	9	7	7	7	
810 Sixth Street SW.....	3	8 rented.....	25	20	22	7	3
Threlkeld.....	2	4.....	21	18	17	9	4
Ungraded:							
Fairbrother.....	1	Building report.....	6	5	6	5	
Madison (portable).....	1	do.....	6	4	4	4	
Morse.....	2	8.....	17	14	14	7	
Threlkeld.....	1	13.....	13	11	11	11	
Hubbard.....	1	6.....	6	1	1	1	
Dennison (coaching).....	1	Building report.....	13	8	9	8	
House of detention.....	1	do.....	49	13	13	13	

* Provided for in 1927.

EXHIBIT A—Continued

	Number of teachers	Number of classrooms	Enroll- ment	Average daily at- tendance	Average number belonging	Pupils per teacher, column 4÷ column 1	Pupils per classroom, column 5÷ column 2
	1	2	3	4	5	6	7
WHITE SCHOOLS—Continued							
NINTH DIVISION (MR. B. W. PATTISON)—Continued							
Americanization.....	5	12	379	190	214	38	18
Health.....	2	8	47	36	42	18	5
Morse (special).....	2	22	22	21	21	11	-----
Macfarland (coaching).....	1	Building report.....	8	6	6	6	-----
Blake (open window).....	1	do.....	11	9	9	9	-----
Abbott (vocational).....	10	9	141	99	110	10	12
COLORED SCHOOLS							
TENTH DIVISION (MISS E. F. G. MERRITT, S. P.)							
Briggs.....	10	8	365	369	375	36	47
Bruce.....	18	8+1p+4R=13.....	654	593	611	33	47
Chain Bridge.....	1	2	28	22	23	22	11
Cleveland.....	17	12	589	548	561	32	47
Garrison.....	17	16	650	580	599	34	37
Military Road.....	4	4	157	142	149	37	37
Montgomery.....	10	8	363	337	348	33	43
Phillips.....	11	8	365	341	354	31	44
Reno.....	6	4	147	130	137	25	34
Stevens.....	20	18	791	710	749	35	41
Sumner-Magruder.....	20	18	743	701	727	35	40
Wilson.....	15	8+3p=11.....	522	485	503	32	45
Wormley.....	10	8	335	295	315	29	39
Miner Normal.....	9	9	194	192	198	21	22
	168	131—port. and R.....		5,445	5,649		491
ELEVENTH DIVISION (MISS MERRITT, S. P.)							
J. F. Cook.....	19	16	704	646	670	34	42
Garnet-Patterson.....	31	12+8+1p=21.....	1,157	1,139	1,167	36	-----
Mott.....	31	25	1,216	1,097	1,138	35	45
Slater-Langston.....	21	8+8=16.....	756	719	737	34	46
	102	77.....		3,601	3,712		188
TWELFTH DIVISION (MR. L. L. PERRY S. P.)							
Atypical:							
Birney.....	1	2	9	8	8	8	4
Do.....	1	2	13	13	13	13	6
Cleveland.....	1	1	12	10	11	10	11
Lincoln.....	1	1	19	11	14	11	14
Phillips.....	1	1	5	4	5	4	5
Twining.....	1	1	11	8	10	8	10
Stevens.....	1	Building report.....	24	22	23	22	-----
Ungraded:							
Old Bell.....	1	1	8	7	7	7	7
Birney.....	1	1	31	27	28	27	28
Do.....	1	1	18	19	19	19	19
Lincoln.....	1	1	19	13	15	13	15
Do.....	1	1	15	12	14	12	14
Magruder.....	1	1	15	10	12	10	12
Montgomery.....	1	1	21	16	18	16	18
Twining.....	1	1	11	7	10	7	10
Do.....	1	1	21	13	17	13	17
Do.....	1	1	25	19	22	19	22
Harrison, health.....	4	8	52	43	48	11	6
Vocational:							
M. M. Washington.....	14	9	226	184	200	13	22
Phelps.....	10	8+4 p=12.....	171	122	145	12	12
	45						
THIRTEENTH DIVISION (MR. J. C. BRUCE, G. P.)							
Ambush.....	9	8	352	315	330	35	41
Banneker-Jones.....	20	8+8=16.....	709	648	675	32	42
Bates Road (portable).....	1	1p.....	24	16	17	16	17
New Bell.....	20	16	608	531	573	26	35
Birney.....	19	14+2p+3R=19.....	626	574	608	30	32
Burrville.....	18	12+2	677	618	646	34	46
Cardozo-Old Bell.....	21	8+8=16.....	717	650	684	31	42
Crummell.....	7	6	268	240	251	34	42
Deanwood.....	16	13	585	548	560	-----	-----
Garfield.....	8	12	204	185	198	23	16
Douglass-Simmons.....	15	8+8=16.....	533	478	498	32	31
Lincoln-Giddings.....	18	12+8=20.....	714	647	683	34	34
Logan.....	12	8	464	420	441	35	35
Lovejoy.....	22	20	841	761	801	35	40
Payne.....	10	8	350	187	199	18	25
Smothers.....	8	5+2p=7.....	260	231	238	29	34
Syphax.....	13	8+2p=10.....	406	420	440	32	44
	237	198		7,469	7,842		530
Total.....	552	Total, 406—P and R.....					

* Relief for junior high.

* Provided junior high in 1927.

* In estimates.

* Provided four rooms in 1927.

EXHIBIT A—Continued

Junior high schools and high schools	Number of teachers	Number of classrooms	Enrollment	Average daily attendance	Average number belonging	Number of pupils per teacher	Number of pupils per classroom
	1	2	3	4	5	6	7
WHITE							
Columbia Junior High	52	37	977	915	956	17	25
Hine Junior High	32	22	682	636	667	19	30
Jefferson Junior High	32	20	582	531	573	16	28
Langley Junior High	28	13	621	600	617	21	47
Macfarland Junior High	35	23	691	666	683	19	22
Old Brightwood Junior High		8					
Powell	27	16	556	541	552	20	34
	206			3,889			
High schools:							
Central	135	46	2,875	2,686	2,808	19	61
Eastern	79	56	1,777	1,683	1,752	21	31
Western	53	39	1,236	1,171	1,209	22	31
McKinley	70	35	1,231	1,162	1,206	16	34
Business	58	31	1,118	1,024	1,083	17	35
	395			7,726			
Wilson Normal	13	11	254	250	253	19	23
Wilson Normal Practice	5	10	296	271	286	54	28
COLORED							
Randall Junior High	27	21	516	476	504	17	24
Shaw Junior High	36	27	997	892	958	24	35
	63			1,368			
Dunbar High	62	42	1,633	1,595	1,681	25	45
Dunbar Business High	14		222	194	210	14	
Armstrong	55	20	1,048	886	996	16	49
	131			2,675			
Miner Normal	13	9	472	446	455	34	50

¹ Provided for in 1927 act.

Personnel summary, high schools and junior high schools

Average daily attendance:		
White high schools		7,726
Colored		2,675
Total		10,401
Number teachers:		
White high schools		395
Colored		131
Total		526
Average number pupils per teacher in all high schools		19.77
Average daily attendance:		
White junior high schools		3,889
Colored		1,368
Total		5,257
Number teachers:		
White junior high schools		206
Colored		63
Total		269
Average number pupils per teacher in all junior high schools		19.54

Personnel summary, elementary schools

Average daily attendance, not including atypical, ungraded, and special schools, white	30,808
Number teachers, not including atypical, ungraded, and special schools, white	1,024
Average number pupils per teacher, not including atypical, ungraded, and special schools, white	30.14
(This does not include special itinerant teachers (about 225) of music, art, physical training, etc.)	
Average daily attendance, not including atypical, ungraded, and special schools, colored	16,517
Number teachers, not including atypical, ungraded, and special schools, colored	507
Average number pupils per teacher, not including atypical, ungraded, and special schools, colored	32.57
Total average daily attendance, not including atypical, ungraded, and special schools, white and colored	47,325
Total number teachers, not including atypical, ungraded, and special schools, white and colored	1,531
Average number pupils per teacher, not including atypical, ungraded, and special schools, white and colored	31.24

EXHIBIT B

Schoolhouse accommodations—High schools—Evidences of congestion—November 1, 1926

(Table from p. 602 of the hearings)

School	Per teacher	Capacity in 1926	Enrollment, Nov. 1—							Excess in 1926	
			1920	1921	1922	1923	1924	1925	1926	Per class	Room
Business	19.3	900	1,208	1,281	1,330	1,256	1,203	1,137	1,082	25.7	182
Central	21.8	2,300	2,837	3,072	3,182	3,276	3,154	2,973	2,836	32.4	536
Eastern	22.5	1,500	661	884	1,052	1,397	1,545	1,629	1,751	24.1	251
McKinley	17.8	1,100	1,298	1,464	1,502	1,408	1,373	1,282	1,200	27.1	100
Western	24	1,200	760	894	1,041	991	1,058	1,203	1,226	26	26
Columbia Junior ¹	18.7	300	140	251	354	366	391	309	337	20.7	37
Hine Junior ¹	21.4	150					148	177	131—19	22.1	
Jefferson Junior ¹	18.6	100						145	131	25.0	31
Langley Junior ¹	22.7	225					147	156—69	165—60	29.2	

¹ Ninth grade only in junior high schools.

EXHIBIT B—Continued

School	Per teacher	Capacity in 1926	Enrollment, Nov. 1—							Excess in 1926	
			1920	1921	1922	1923	1924	1925	1926	Per class	Room
Macfarland Junior ¹	20.0	225					197	195— 30	194— 31	25.2	
Powell Junior ¹	21.5	100						115	164	28.0	64
Armstrong.....	18.6	1,100	638	880	1,094	1,076	1,054	1,099— 01	1,050— 50	18.3	
Dunbar ²	30.1	1,200	1,402	1,640	1,597	1,742	1,688	1,776	1,857	33.4	657
Randall Junior ¹	19.1	100					75	94— 6	111	22.4	11
Shaw Junior ¹	27.6	250	40	65	115	124	238	153— 97	222— 28	27.6	
Total.....		10,750	8,984	10,331	11,267	11,636	12,271	12,443—203	12,451—188		1,895—188
Net excess.....			1,264	2,981	3,917	2,886	2,971	1,693	1,707		1,707

¹ Ninth grade only in junior high schools.² 14 teachers in business department.

Brightwood Junior High School, seventh and eighth year classes only.

Total for high schools per teacher, 22; per classroom, 27.2.

Total for junior high schools per teacher, 21.2; per classroom, 24.06.

These totals are furnished by Doctor Ballou on page 545 and are based on figures which represent practically the entire enrollment of the schools.

EXHIBIT C

WASHINGTON, D. C., November 1, 1926.

Accumulated shortage as of November 1 of each year

Classrooms needed	1920	1921	1922	1923	1924	1925	1926
1. To eliminate portables	73	71	61	61	57	66	65
2. To eliminate rented quarters	41	33	28	28	24	26	24
3. To eliminate undesirable rooms	21	39	34	28	30	27	22
4. To reduce oversize classes	57	57	57	51	40	51	42
5. To eliminate part-time classes:							
Grades I and II	150	152	137	150	123	121	125
Above Grade II	18	19	19	18	6	6	5
6. To abandon buildings recommended for immediate abandonment in 1908 still in use: Threlkeld, 4 rooms (John F. Cook, 8 rooms)	12	12	12	12	12	12	4
7. To abandon buildings recommended for early abandonment in 1908, still in use: Abbot, 9 rooms; Adams, 8 rooms; Beret, 9 rooms; Bradley, 8 rooms; Force, 12 rooms; Jefferson, 20 rooms; Lincoln, 12 rooms; Webster, 12 rooms	90	90	90	90	90	90	90
8. To abandon other buildings now unfit for use:							
Bell, 8 rooms (Chain Bridge, ¹ 1 room), (Hamilton, ¹ 4 rooms), (Smothers, ¹ 4 rooms); Tenley, 8 rooms	25	25	25	21	20	20	16
Arthur, 8 rooms; ² Brightwood, 8 rooms; Garnet, 12 rooms; Langdon, 10 rooms; Patterson, 8 rooms					46	46	46
Grand total	437	498	463	459	448	465	439

¹ Buildings now abandoned.² Used for junior high school seventh and eighth year classes.

EXHIBIT D

Portables in District of Columbia schools

School	Number	Average belonging	Ballou's method	Remarks
Smothers	2	34	37.1	Provided for.
Syphax	2	44	46	
Birney	2	32	36.7	Atypical and ungraded.
Phelps	4	12		Vocational.
Bates Road	1	17	23	
Burrville	2	46	47.9	
Garnet Patterson	3	50.7	50.3	Provided for.
Wilson	3	45	47.2	Do.
Bruce	1	47	50.5	Do.
Bryan	2	46	47.3	
Lenox-French	1	19	33.3	Incorrect calculation by Doctor Ballou; should be 20.5.
Peabody-Hilton	1	39	39.3	
Kingsman	1	37	37.8	
Blair-Hayes	3	38	42.2	Incorrect calculation by Doctor Ballou; should be 40.
Parkview	5	47	47.9	Provided for.
Langdon-Woodridge	5	39	40.4	Do.
Burroughs (1927)	1	53	54.6	Do.
Brookland-Bunker-Hill	2	42	48.9	Incorrect calculation by Doctor Ballou; should be 42.
Force-Adams	1	33	34.2	
Truesdale	4	40	41.2	
Takoma (Maryland)	2	42	42.8	
Petworth (Macfarland Junior)	6	39	39.5	Provided for.
Keene	3	24	24.7	
H. D. Cooke	1	35	35.7	
Reservoir	1	39	40	Do.
John Eaton	1	51	52.7	
E. V. Brown (M)	3	49	50	
Total and average per school	62	38.5	40.4	

EXHIBIT E

Rented properties, 1926-27

[See pages 621-622, hearings]

Premises	Annual rental	Use
212 H Street NW	\$560 (seven months, at \$80 per month).	Manual training and cooking.
1201 K Street NE	\$1,680	Household arts.
2014 Franklin Street NE	\$360	Cooking and sewing.
1340 G Street NE	\$1,080	Atypical classes.
Wilson School portables. (Lots 14 and 15, Square 2572)	\$900	Graded classes.
800 East Capitol Street	\$2,160	Atypical classes.
1606 M Street NW	\$455 (seven months, at \$65 per month).	Cooking and sewing.
810 Sixth Street SW	\$1,200	Atypical classes.
737, 739, 741 Eleventh Street NE	\$1,440	Do.
Brookland M. E. Church (two rooms and accessories)	\$360	Do.
Friendship Baptist Church	\$350 (seven months, at \$50 per month).	Randall Junior High School Annex.
Square 5203, Lot 817, east of Division Avenue and south of Sheriff Road.	\$80 (July to October at \$20 per month).	School gardens.
Lots 850, 865, 866, 867, and parts of 863 and 864 in Square 2882.	\$80 (July to October at \$20 per month).	Do.
Rear of 2606 Nichols Avenue SE	\$80 (July to October at \$20 per month).	Do.

Teachers	Rooms	School	Belonging per teacher	Ballou's figures
3	8	810 Sixth Street, atypical	3	4.8.
1	1	(Brookland) Fourteenth and Lawrence NE., atypical.	11	11.
3	6	800 E. Capitol Street, atypical	7	14, should be 8.7. ¹
2	5	1340 G Street NE., atypical	5.6	15, should be 6. ¹
		Friendship Baptist Church already vacated.		
		Wilson school portables is vacant lot.		

¹ Wrong totals in Doctor Ballou's tables. See page 547 of hearings.

EXHIBIT F

Recommended for immediate abandonment in Item 108 Rooms

John F. Cook, abandoned February, 1926	8
Threlkeld, used now for atypical classes; recommended for early abandonment in 1908	4
Abbot, now used for vocational school	9
Adams, provision for abandonment carried in estimates for 1928	8
Beret, used for special classes and offices of school officials	9
Bradley, in regular use	8
Force, to be vacated in part when the Adams-Morgan building is constructed, for which estimates are carried in the Budget for 1928	12
Jefferson, in regular use	20
Lincoln, in regular use	12
Webster, now used largely for Americanization schools; other buildings considered unfit for use	12
Bell, estimates submitted in supplemental deficiency bill	8
Chain Bridge, abandoned November 26, 1923	1
Hamilton, classes removed September 21, 1925	4
Smothers, abandoned November 30, 1923	4
Tenley, in regular use	8
Arthur, in regular use	8
Brightwood, used for junior high-school classes	8
Garnet, in regular use	12
Langdon, appropriation for abandonment made in Budget for 1928	10
estimates for abandonment	8
Patterson, in regular use	12
Randall, in regular use	12

One or both of the Garnet-Patterson buildings will be vacated and torn down if and when the Garnet-Patterson Junior High School is erected on that site.

1. John F. Cook: 8 rooms abandoned February 26.
2. Threlkeld: 4 rooms used for atypical classes. Average belonging, 7 per day. Under Ballou's table, 11 per day.
3. Abbott: 9 rooms. Vocational school, and children could go to Columbia Junior High. Average belonging for classroom, 12. Ballou's table, 13.
4. Adams: 8 rooms. Average belonging per classroom Force-Adams, 33. Ballou's table, 34.2. This school is to be taken care of by new Adams-Morgan school.
5. Berret: Used for special classes and offices for school officials. Should not be included. 9 rooms.
6. Bradley: 8 rooms. Near Government Printing Office and people want to keep it. Average belonging per classroom, 39. Ballou's figures, 39.8.
7. Force: 12 rooms. Average belonging per classroom, 33. Ballou's figures, 34.2. Not planned to build or to take care of its needs.
8. Jefferson Junior High: 20 rooms. Average belonging per classroom, 28, and Ballou's figures, 25.

9. Lincoln: 12 rooms. Average belonging per classroom, 34. Ballou's figures, 51.2, but should be 38.
 10. Webster: Used for Americanization schools, principally night work.
 11. Bell: Estimate submitted in supplemental deficiency bill. Eight rooms. Average belonging per classroom, 42. Ballou's figures, 44.6 (Cardosa-Old Bell).
 12. Chain Bridge: 1 room. Hamilton: 4 rooms. Smothers: 4 rooms. Already abandoned.
 13. Tenley: 8 rooms. Tenley-Janney: Average belonging per classroom, 31. Ballou's figures, 39.2, but wrong. Should be 32.
 14. Arthur: 8 rooms. Average number belonging per classroom, 33. Ballou's figures, 37.7, but wrong. Should be 34.
 15. Brightwood: 8 rooms. Partially used now but will be abandoned when Macfarland wing is finished.
 16. Garnet: 12 rooms. Provided for in this bill.
 17. Langdon: 10 rooms. Provided for in this bill.
 18. Patterson: 8 rooms. Provided for in this bill.
- See page 563 of the hearings. This table is as follows:

EXHIBIT G
Per capita costs in city schools, 1925-26—Cities of 100,000 population and more
(Prepared by the United States Bureau of Education)

GROUP I

Cities	Total current expenses	Average daily attendance	Per capita cost-total current expenses	General control			Instruction in day schools			Operation of school plant		
				Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total
Los Angeles, Calif.	\$21,695,415	166,941	\$129.96	\$1,063,457	\$6.37	4.9	\$17,370,735	\$104.05	80.1	\$1,782,699	\$10.68	8.2
Oakland, Calif.	4,337,868	40,620	106.79	115,703	2.85	2.7	3,655,032	89.98	84.3	323,954	7.98	7.5
Wilmington, Del.	1,183,584	14,170	83.53	41,003	2.89	3.5	954,290	67.35	80.6	91,125	6.43	7.7
Chicago, Ill.	42,430,352	415,703	102.07	1,662,573	4.00	3.9	31,966,318	76.90	75.4	4,218,152	10.15	9.9
New Bedford, Mass.	1,559,963	16,653	93.67	48,874	2.93	3.1	1,249,368	75.02	80.1	173,764	10.44	11.2
Newark, N. J.	7,677,463	65,459	117.29	295,215	4.51	3.9	6,205,357	94.80	80.8	645,293	9.86	8.4
Trenton, N. J.	1,855,596	16,667	113.33	85,402	5.12	4.6	1,417,934	85.07	76.4	172,434	10.35	9.3
Albany, N. Y.	1,321,613	11,786	112.13	20,609	1.75	1.6	1,029,207	87.32	77.9	159,008	13.49	12.0
Buffalo, N. Y.	9,435,715	67,650	139.48	139,905	2.07	1.5	6,767,900	100.04	71.7	1,080,528	15.97	11.5
Dayton, Ohio	2,531,320	24,132	104.89	99,132	4.10	3.9	1,820,565	75.44	71.9	221,711	9.19	8.8
Philadelphia, Pa.	21,814,064	231,126	94.38	913,039	3.95	4.2	16,660,805	72.09	76.4	1,661,229	7.19	7.6
Pittsburgh, Pa.	10,326,698	84,301	122.49	397,037	4.71	3.9	7,191,345	85.30	69.6	1,230,763	14.60	11.9
Reading, Pa.	1,343,051	15,702	85.53	67,294	4.29	5.0	996,617	63.47	72.2	153,508	9.78	11.4
Washington, D. C.	7,467,387	61,778	120.87	152,817	2.47	2.0	5,928,209	95.96	79.4	733,428	11.87	9.8

Cities	Maintenance of school plant			Coordinate activities and auxiliary agencies			Fixed charges		
	Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total	Amount	Per capita	Per cent of total
Los Angeles, Calif.	\$656,803	\$3.93	3.0	\$687,405	\$4.12	3.2	\$134,316	\$0.81	0.6
Oakland, Calif.	131,842	3.24	3.0	62,957	1.55	1.4	48,380	1.19	1.1
Wilmington, Del.	79,702	5.62	6.7	12,276	.87	1.0	5,188	.37	.5
Chicago, Ill.	2,145,472	5.16	5.1	1,576,108	3.79	3.7	861,729	2.07	2.0
New Bedford, Mass.	55,097	3.31	3.5	32,860	1.97	2.1			
Newark, N. J.	264,602	4.04	3.4	257,022	3.93	3.4	9,974	.15	.1
Trenton, N. J.	107,669	6.46	5.8	51,394	3.08	2.8	20,763	1.25	1.1
Albany, N. Y.	25,077	2.13	1.9	36,295	3.08	2.7	51,417	4.36	3.9
Buffalo, N. Y.	786,321	11.62	8.3	186,251	2.76	2.0	474,810	7.02	5.0
Dayton, Ohio	230,672	9.56	9.1	89,521	3.71	3.5	69,719	2.89	2.8
Philadelphia, Pa.	932,041	4.03	4.3	619,436	2.68	2.8	1,027,514	4.44	4.7
Pittsburgh, Pa.	1,103,502	13.09	10.7	126,486	1.50	1.2	277,565	3.29	2.7
Reading, Pa.	47,759	3.04	3.6	38,781	2.47	2.9	39,002	2.48	2.9
Washington, D. C.	504,032	8.16	6.8	75,652	1.22	1.0	73,249	1.19	1.0

Only 3 higher per capita cost than District of Columbia.
Only 2 higher instruction cost than District of Columbia, the largest item.
Only 3 higher operation; all in colder latitude.

Only 3 higher maintenance.
All of above have a debt. This is not included in cost.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. GRIFFIN. Mr. Chairman, I will now use the balance of my time if that is agreeable to the gentleman on the other side.

The CHAIRMAN. The gentleman has 12 minutes remaining.

AS TO THE HIGH SCHOOLS

Mr. GRIFFIN. Mr. Chairman and colleagues, I did not touch on the high-school question in my first discussion of this matter, and I will take advantage of the opportunity now to discuss that matter in closing on this side of the debate. I do not hesitate to say that I stand for the board of education and for the pupils of the city of Washington. I am absolutely impersonal about it. I never met Doctor Ballou until he appeared before our committee a year ago; I never met him again until our hearings began on this bill, and I have not seen him since the hearings concluded. I have no interest whatever in persons, and my attitude on this proposition rests entirely upon the facts—the main, essential, material facts—that were brought out in the hearings.

Of course, I did not have the benefit of the advice and counsel of Doctor Phillips or Mrs. Bannerman. I did not seek the aid or assistance of outside sources. I feel that so long as

Doctor Ballou is at the head of our schools he is entitled to respect; he is entitled to deference, and we ought to accept his figures until they are shown to be wrong.

Now, in the matter of allocation of teachers, I have shown you that there are 701 classes in the public schools of Washington that are overcrowded, exceeding the maximum number of pupils that ought to be taught by any one teacher. What is a man to do with a situation like this? This is a real problem, not a mere sum in arithmetic to be worked out by a rule of thumb, such as "divide the total number of teachers into either the total or average enrollment and say that there ought to be so many pupils in a particular class," or to say "we will shift part of the children in one school over to another." It is all right to do that in your imagination, but in practice you can not do it.

If you will look at the list of classes as given in the hearings you will find it is true that in some of the higher schools there are 17 or 20 or 21 pupils per class and per teacher. This is inevitable. In the outlying and new districts there must necessarily be a small number of pupils per teacher and per class.

Mr. SIMMONS. Will the gentleman yield there?

Mr. GRIFFIN. Pardon me, I can not yield.

The difficulty with regard to the elementary schools is augmented when you come to deal with the normal schools, the high schools, and the junior high schools. They are institutions. They are planted in a certain neighborhood that has a certain school population. They are compelled to draw upon the school population in that section. Look at these figures. They are not so outrageous as my friends on the other side of this question would have you believe. Take the normal schools. The number of pupils per classroom teacher I find in the white schools is 21, but in the colored schools it is 27.3. In the senior high schools the average number of pupils per classroom teacher in the white schools is 20.2, but in the colored schools it is 24.6. In the junior high schools the average number of pupils per teacher is 20 in the white schools and in the colored schools it is 24. In the elementary schools the average number of pupils per teacher is 34.1, but in the colored schools it is 36. In the vocational schools the total number of pupils per teacher in the white was 13.8 and in the colored 15.8. That is to be expected. It is a difficulty inherent in the very special character of such schools.

Mr. HOUSTON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. HOUSTON. How many classes in the fifth grade, how many in the seventh grade, how many in the ninth grade? Does the gentleman have that?

Mr. GRIFFIN. No; that is one pool the committee did not fish in.

Mr. HOUSTON. Does the gentleman consider that as very important?

Mr. GRIFFIN. That is very important and I am going to touch on that. Here is the difficulty in dealing with the junior high school and the senior high school. You must prepare your teaching staff for high schools to take not only the children that graduate from the junior high school into the senior high school, but remember that children from the seventh and eighth grades of the elementary schools may be jumped directly into the high schools. There is first, the ordinary process of promotion from the junior into the senior high schools. Then there is the process of jumping the children from the elementary schools, from the seventh and eighth grades of the elementary schools, and then the ordinary promotions seventh grade of the junior high, into the senior high school. Pupils are graduated and go directly from the elementary school into the high school. All of this has to be provided for.

Our hearings were held in an interim between school terms. The Board of Education has to confront the promotions in February and that is when the adjustment and readjustment of pupils will be made. They have to be prepared to take hundreds of children from the elementary school and put them into the senior high school, from the junior high school into the senior high school and readjust them. We want to be sensible about it. We ought to be reasonable, and we ought to give the man on the job the credit of knowing his business.

Mr. HUDSON. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. HUDSON. It seems to me that the discussion so far has been with reference to the number of teachers. Ought you not to consider the quality of the teachers?

Mr. GRIFFIN. We have nothing to do with the quality of the teachers, we have to take certain things for granted.

Mr. HUDSON. You do have something to do with the quality of the teachers for you appropriate for graded salaries.

Mr. GRIFFIN. That is something over which we have no control and that is not a live issue. The material point is this; whether the Board of Education shall have the 74 additional teachers they ask for. No one as yet has questioned the qualifications of the District school teachers. I think they are as good as can be found anywhere. The additional teachers are needed to take care of the promotion of the children from the elementary schools into the high school; they are needed to do away with the part-time classes; they are needed to get rid of those classes where the attendance is greater than the capacity of the single teacher to teach.

Mr. HUDSON. Will the gentleman yield further?

Mr. GRIFFIN. Yes.

Mr. HUDSON. The gentleman's colleague spoke of 400 additional teachers, or itinerant teachers.

Mr. GRIFFIN. Three hundred and fifty-one, as a matter of fact.

Mr. HUDSON. Are not some of those available for the additional rooms?

Mr. GRIFFIN. No; for the reason that they are special teachers—domestic science, music, and the like.

Mr. HUDSON. Does the gentleman mean to say that all of the 351 teachers are specialists?

Mr. GRIFFIN. I stated in my remarks some time ago that there are 10 librarians, 228 special teachers, 51 supplemental teachers who are substitutes, and so forth. They are not available for regular classes. They are either traveling teachers teaching special subjects or substitutes going around filling vacancies.

Mr. SCHAFER. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. SCHAFER. The gentleman stated that the Board of Education prepared these figures. Who opposed the granting of them?

Mr. GRIFFIN. Well, the Parent-Teachers Association said they did not need them.

Mr. FUNK. The gentleman from New York wants to be fair—he spoke of these part-time classes. The gentleman must have overlooked the fact that there is an appropriation available for the employment of 36 teachers not now employed?

Mr. GRIFFIN. I have mentioned that.

Mr. FUNK. If there is any criticism because of part-time classes, that fact is to be attributed to lack of schoolroom facilities rather than the lack of teachers.

Mr. GRIFFIN. That is another element.

Mr. FUNK. There is an appropriation for 36 teachers not now being used, and if there are any part-time classes it is due to the lack of schoolroom facilities.

Mr. GRIFFIN. That is another reason.

Mr. FUNK. And Congress can not be criticized for lack of schoolroom facilities because we have appropriated at a greater rate than the buildings are being completed.

Mr. GRIFFIN. Except as to this, that this appropriation is for the next fiscal year, when many of these schools will be ready for occupancy, and there will be an opportunity to put the extra teachers into them.

Mr. FUNK. The gentleman wants to be fair.

Mr. GRIFFIN. That goes without saying.

Mr. FUNK. The gentleman knows that in this list of Doctor Ballou, in his request for 74 additional features, he has included three schools, plans for which are not even prepared.

Mr. GRIFFIN. That is true.

Mr. FUNK. To say nothing of preparing specifications.

Mr. GRIFFIN. But there are five others, as to which there is no reasonable doubt that they will be ready.

Mr. FUNK. And inviting bids and taking from one to two years to complete the school.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. OLIVER of Alabama. I read on page 537 this question asked by Mr. COLLINS:

You had authority last year to appoint 2,690 teachers, as I understand it, and you actually had, 30 days ago, 2,445. Now, you are asking for 2,800, are you not?

Doctor BALLOU. No; I think not.

Mr. COLLINS. What number are you asking for?

Doctor BALLOU. We have in the 1927 appropriation provision for 2,666 teachers and librarians, and there is an estimate before you for 74 more teachers, which would not make 2,800. That would be 2,740.

Then, later, explaining why these were not employed 30 days ago Doctor Ballou says:

We have some salaries which are not yet being used, provided for in the appropriation bill for 1927. We open next month the Stuart Junior High School and other schools and there was an estimate submitted last year for the necessary additional teachers for these buildings, and the salaries were provided for that purpose.

In other words, that these schools will probably be opened during the month of February.

Mr. GRIFFIN. That is what they say; yes. There are 10 schools altogether, 4 of which will be opened in this fiscal year and 6 are promised completion during the term of the appropriation we are now considering.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FUNK. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Chairman, before taking up the subject that I intend to use my time for, I wish to refer very briefly to the speech of the gentleman from Kentucky [Mr. JOHNSON] this morning, in reference to the so-called Andrews prohibition enforcement bill now before the Committee on Ways and Means.

He made a very enlightening address upon the subject. Unfortunately, however, the bill to which he was referring had been so far emasculated in the process of its consideration by the Committee on Ways and Means that I do not think he would recognize the bill if he had a confidential print as it exists to-day. Another thing. There have been two or three lengthy speeches made here in the last few days in reference to that bill. I think the Members have been rather begging the question, because, if I am any prophet of the possible action of the committee to-morrow, that bill will never come into this House for consideration. [Applause.] I say that as one who intends to vote against its being brought into this House for consideration.

I shall give two reasons why I am opposed to the bill. In the first place it is offered as a prohibition-enforcement measure by General Andrews, who is very sincere in his work. It is a peculiar circumstance that those interested in the dry side of this question have given this bill the most cursory support. There has been but one person before the Committee on Ways and Means connected with any temperance organization in behalf of the measure. A few letters have been presented that one could secure for indorsement almost any time. You know you can get up a petition to hang your own brother if you want to and get signers to it. That is the kind of support that has been brought before the Ways and Means Committee for this prohibition-enforcement measure. The best supporters, aside from General Andrews, are the holders of whisky certificates who desire to dispose of them at advantageous prices. Then again, I am not willing to be one of those to vote to set up and authorize a private corporation, establishing a monopoly, a strong legal monopoly, by governmental authority, and then so financing the measure that the capital stock that will control the company after seven years passes into the hands of probable speculators, for which stock not a dollar has been paid. That is the high financing that exists in this bill, and that combined with the fact that there does not seem to be much support for it from the prohibition end is my reason for saying in advance that to-morrow, when we consider this bill in the Ways and Means Committee, I shall be one of those to vote against its being reported out.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. HUDSON. Does this bill provide that any of those who shall buy the company are distillers?

Mr. TREADWAY. Oh, no; the purchasers of the stock in the open market will own it. If the gentleman cares to know in just a word about the financing of the company, I would say that originally the bill authorized the Government to subscribe to \$35,000,000 of gold notes of the company. That we have cut out. The Government furnishes no capital, and I do not believe in any bill that does furnish capital by the Government for engaging in the whisky business. The gentleman from Illinois [Mr. WILLIAM E. HULL] has submitted a bill where the Government furnishes the capital. I think the sentiment of the country is opposed to the Government furnishing capital for either the sale or the manufacture of medicinal whisky. The next step is that after the \$35,000,000 of gold notes are canceled comes the stock which is open for public subscription in the market. You buy one share of preferred stock and they present you with a share of common, and in seven years' time it is expected that the preferred stock will be paid off and the common will, therefore, own the company. There are many other things in connection with it that if I had time I should be glad to explain to the House.

Mr. LaGUARDIA. And the stock would be transferable?

Mr. TREADWAY. Yes.

Mr. LaGUARDIA. It could get into the hands of the bootleggers.

Mr. TREADWAY. Yes; and they would be wise to buy it up.

Mr. WELLER. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. WELLER. Do I understand that there is a confidential print of the bill that is available for Members of the House?

Mr. TREADWAY. No; simply a suggested bill that the committee has been considering.

ANTHRACITE COAL

Mr. Chairman, for several years I have been very much interested in any possible legislation that Congress might see fit to enact in reference to the regulation of coal, particularly anthracite coal.

I did not expect to make any remarks on this subject during the last few weeks of this session, but I am tempted to do so by remarks made on Thursday by the gentleman from New York [Mr. BLACK] wherein he impugns the sincerity of the leaders of this House. He said that if the President was

sincere and the floor leader and the steering committee and the Committee on Interstate and Foreign Commerce were sincere in wanting coal legislation, it would be brought forward and passed. Now, I differ with the gentleman on that particular. I am not going to get into further political discussion on that subject, because I am one of those whose object in coal discussion has been entirely along the line of trying to get a better price to the consumer.

That has been by object, and my efforts have been along that line; but I will say the gentlemen referred to by the gentleman from New York [Mr. BLACK] were sincere in their efforts to get a bill out of the Interstate and Foreign Commerce Committee. Here is my explanation of why they were unsuccessful: There are two classes of membership in that and all other committees, and as I consider the membership of the Interstate Commerce Committee I note some of its members are sincerely and honestly opposed to any governmental regulation of corporations or monopolies. There is another class that is directly interested in killing this legislation. Several gentlemen on the committee represent sections where bituminous coal is mined, and they, together with the subtle, quiet, and effective work that all know can be done by corporations and the so-called big interests when it is necessary to do it, have been at work. Those are the men and those are the reasons why we have not a coal bill before us at this time. Just one other thing in connection with the gentleman's remarks. It is a well-known fact that the vote against adopting the so-called Parker bill was 16 to 6. If this were such a good measure and there was sincerity of action on the part of members of the committee, and they were subject to political influence as the gentleman inferred the Republicans were, why did not he, with his influence on the Democratic side of the House, get more than 2 votes in the committee from the Democratic members to report out the Parker bill?

Mr. BLACK of New York. Will the gentleman yield?

Mr. TREADWAY. Very briefly.

Mr. BLACK of New York. If the President with his influence can not get a couple of votes on the Republican side, why what chance would I have?

Mr. TREADWAY. I know why the gentleman could not get Republican votes, but I do not know why the gentleman could not get Democratic votes. Bills can be reported out of a committee with the assistance of Democratic votes.

Mr. SCHAFER. Will the gentleman yield?

Mr. TREADWAY. I can not. I must use my remaining time. In connection with my interest in the anthracite situation I want to say that I hope before another session we can so frame a bill that even the bituminous people will say, "All right, go to it. We want to help the consumers of the anthracite coal in New England and Northern States to secure their fuel at a fair price and approve this measure." The gentleman from Pennsylvania [Mr. WYANT] will bear me out in saying I could not get started in my first coal speech several years ago without assuring him in his continued interruptions that I did not refer to bituminous coal, but I was referring to anthracite, and he insisted upon having such assurance before I could proceed.

Mr. WYANT. If the gentleman will permit, I want to assure the gentleman I will not further interrupt in his next coal speech.

Mr. TREADWAY. Now we can not go into these details, and I am not going to rehearse the want of coal legislation, but I do want to call attention to the price of anthracite coal at present and in a few years back. These are rather illuminating figures, and I think will bear out my claim that we need an impartial tribunal to which the coal consumer can appeal. In March, 1913, anthracite coal was selling retail in Boston at \$7.50 to \$7.75 per ton. In March, 1924, following the so-called settlement by the then governor of the gentleman's State of Pennsylvania, the price jumped to \$15.50 a short ton. I do not blame any of you gentlemen for not countenancing him. In March, 1925, the price was \$16. In November, 1925, the price was \$17, and in November, 1926, the price was \$16.50.

Now what is the explanation of those figures? Here is the explanation, gentlemen: That the consuming public had nothing to do whatsoever with the settlement of that strike or with the settlement of the one that occurred last summer. The cost was put on us poor consumers of anthracite, and you can not give any other explanation for it. Further than that, in the strike of last year the terms of that settlement provided that the miners should return to work for the same pay as they had received at the time of the strike.

Now why should 50 cents or \$1 be added to the price paid by the consumer unless it was to make good the loss suffered by the owners of the mines during the period when the strike was

on? The miners did not get a cent of that extra price. It all went into the pockets of the operators.

Mr. BLACK of New York. Does the gentleman know how much the coal operators contributed to the Republican campaign?

Mr. TREADWAY. Oh, the gentleman should get politics out of his head in the consideration of this subject.

Mr. BLACK of New York. Does the gentleman—

Mr. TREADWAY. Oh, I decline to yield further along that line. The gentleman wants to make a political talk. I want to help in getting a reduction in the cost of anthracite.

Now, I want to refer to the settlement of the anthracite strike last year. We are told that there can not be any strike in the anthracite mines for another five years from the time the agreement was entered into. Here is the agreement furnished me by one of the gentlemen interested in the coal business in Pennsylvania, signed on behalf of the anthracite operators and on behalf of the United Mine Workers of America of that district. There is no indication that anybody connected with the consuming public agreed to these terms.

What are the terms? They are these: If an operator or miner within a period of one year wants a change, all they have to do is to give notice of the change and then get together and act upon that change, and if they can not agree they name arbitrators. Where does the public that pays the bill come into that arrangement?

Let me say this in passing, that the principal reason why there is this difference between the bituminous and anthracite coal business is that the bituminous mines are scattered largely all over the country, whereas the anthracite mines are located in a particular locality in Pennsylvania, and therefore the anthracite is a natural monopoly, a monopoly that the people ought to have something to say about, rather than the coffers of the owners of those mines. [Applause.] That is the difference between the two things, the bituminous and the anthracite.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WYANT. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts be given the extra time he desires in which to finish his remarks.

Mr. TREADWAY. I thank the gentleman. I understood all the time is exhausted. But could I have one minute more, Mr. Chairman?

Mr. FUNK. Yes; I yield to the gentleman one minute.

Mr. TREADWAY. I intended, Mr. Chairman, to refer to an interview given out by the gentleman from Maine [Mr. NELSON], a member of the Committee on Interstate and Foreign Commerce who favored the Parker bill. I wish to incorporate in my remarks the statement that was made by him along that line.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Mr. TREADWAY. To again refer to the defeat of the Parker bill, our friends from Pennsylvania and the bituminous fields tell us of the tremendous quantity of bituminous available should a strike occur on the expiration of the Jacksonville agreement April 1. I should have more confidence in their assurances of the maintenance of bituminous prices had they not taken such terrible advantage of the anthracite strike in 1925. The prices at that time showed that the owners of bituminous will take advantage of the public just as readily and as quickly as will the owners of anthracite.

On previous occasions reference has been made to the elements going to make up the high price of anthracite in the market. I will not take the time of the House to refer to those reasons. Some of them I recognize are beyond the control of Federal action and are within the power of regulation by the State of Pennsylvania. The Parker bill would establish a means of disseminating information upon the various elements of cost. If the extortions practiced by the Girard Trust Co. under the laws of the State of Pennsylvania should have continuous publicity through such a board, I predict it could not withstand the resulting public criticism, and that eventually the laws of the State would be amended, and the Girard Trust would accept reasonable and fair royalties.

My claim has always been that the consumers' interests are paramount to those of the other two parties and that the Government must intercede to see that justice is done to the most interested party in the issue. If the cause of the operator and miner is so just and neither is getting a higher return, one for his labor and the other for his capital invested than is fair and equal, why is neither party willing to have the light of publicity and statistical information provided to the public,

the party mostly at interest and the one to whom both the others look for their financial returns?

I want, before closing, to call attention to an interview that the gentleman from Maine [Mr. NELSON] gave following the action of the committee, of which he is a member, in failing to vote out the so-called Parker bill. Among other things, he says in this interview:

Inviolability of purely private business matters is a common-law right protected by the constitutional guaranty of the fourth amendment, but coal is quite as much a public necessity as electricity, street railways, or any other commodity or service now subject to public regulation. Its production is directly related to the operation of the instrumentalities of interstate commerce. The Supreme Court has already held that Federal control of grain trading could not be questioned after Congress had declared that such trading was affected with public interest. To a much greater extent does such interest attach to the coal business.

I believe that the Constitution gives Congress full power to meet the situation and that the people expect us to exercise that power. I feel that the committee could have framed a regulatory law that would have protected the rights of all citizens engaged in the coal industry and at the same time have maintained the inherent rights of the great majority not to be starved or frozen to death at the will of any portion of our people.

The people can not help themselves—

He says—

It is the duty of Congress to write legislation protecting the people's interests.

And—

He emphasizes—

If this legislation which has just been killed in committee dies with this Congress, as there is small doubt that it will, then the next session may see an aroused and suffering people demanding a drastic regulation of the coal business, which will be inadvisable and retaliatory.

Mr. FUNK. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LaGUARDIA].

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. LaGUARDIA. Mr. Chairman, I want to say that the closing remarks of the gentleman from Massachusetts [Mr. TREADWAY] would have seemed natural coming from the gentleman who is now on the floor, rather than from the gentleman from Massachusetts, a conservative Member from a conservative State of New England.

Mr. TREADWAY. If the gentleman is as anxious for a fair price to the consumers of anthracite coal in the city of New York as I am for the consumers in the State of Massachusetts, we are in accord.

Mr. LaGUARDIA. Yes.

Mr. TREADWAY. On that subject.

Mr. LaGUARDIA. On that part of the subject. It was brought out this morning by the gentleman from Kentucky [Mr. JOHNSON], reading remarks supposed to have been made by the Director General of Prohibition, that gentlemen of the House who were opposing the present undercover system were only seeking to hamper the enforcement of the law. I want to take this opportunity to refute that statement. I have not only referred to Mr. Andrews violations of the law, but I have referred to him violations of the law committed by his own men. First you will all remember he sought to justify the unlawful conduct of his men in New York and he, or some one in the department, prevailed upon the Secretary of the Treasury to sign a letter to the Committee on the Judiciary of the House in response to my Resolution 352 in which letter the department glorified the undercover system and justified the particular unlawful, indecent conduct about which I was complaining. Now that the Secretary of the Treasury has learned more about the facts, he was necessarily compelled to disavow the crimes committed by his agents, to repudiate the Bridge Whist Club of New York, the pool room of Norfolk, Va., the distillery of Elizabeth City, N. C., and the wire tapping in New York State, and all the blackmail and extortion which followed.

But gentlemen I gave you correct facts. Every charge that I have made has been absolutely substantiated by Treasury Department documents contained in the department's report, now known as Senate Document No. 198, Sixty-ninth Congress, second session.

Every charge that I made against Chester P. Mills is either a matter of court record or acts and conduct of which proof has been submitted to the Treasury Department, including photostats of the checks which I charged Mills had given and which were not honored by the bank. I am going to put in the RECORD right now a letter which I wrote in response to a letter

from Secretary Andrews asking for more facts. My original charges will be found in the CONGRESSIONAL RECORD of January 20, 1927. Mr. Andrews is hampering law enforcement himself by not discharging this man Chester P. Mills. I demand action on my charges and I am going to keep giving the country information of the outrageous conduct and action on the part of the New York unit under this man's management. Here is the letter:

JANUARY 27, 1927.

Gen. LINCOLN C. ANDREWS,
Assistant Secretary of the Treasury,

Washington, D. C.

MY DEAR GENERAL ANDREWS: I have your letter of January 18, 1927, relative to the charges preferred by me against one Chester P. Mills, prohibition administrator, New York City. You ask for certain information, which you would have if your bureau in New York City was but 10 per cent efficient. I am a legislator and not an undercover man. In all necessary future communications with this office please bear that in mind. I am not so naïve as to disclose information under the present administration in New York City. I state frankly that I do not trust the officials there now, and as soon as information would be given it would leak out, and the denatured-alcohol mongers would cover their tracks.

If the New York City office reports that it has no knowledge of diversion of denatured alcohol, it is such a confession of incompetency, utter lack of knowledge of conditions, and such an entire breakdown of law enforcement that no further charges should be necessary. Clean out that office as it should be cleaned, assign me six auditors from the Internal Revenue Service, and let me pick six Department of Justice men and I will show you diversion of denatured alcohol that will make this country gasp.

As to the second charge in my letter of January 10, 1927, to the Hon. Andrew W. Mellon, the court records at least have not been tampered with, and that will give you an inkling of what your administrator in New York has apparently failed to truthfully report.

As to the charge contained in paragraph 3 of my letter, the admissions contained in Secretary Mellon's letter to the Committee on the Judiciary dated January 6, 1927, in response to House Resolution No. 352, together with the admissions contained in the department's report in response to the resolution of Senator REED of Missouri, bears out my charge to the letter. You can not escape that. Administrator Mills's statement given to the press that he had no knowledge whatsoever of the Bridge and Whist Club is either manifestly so untruthful as to disqualify him from further continuance in office or else again he has demonstrated his incompetency and unfitness to perform the duties of his office. If his statement is not true, no further argument is necessary. If he had no knowledge that the Bridge and Whist Club was a Government operation, then why was the place not raided? Everybody in New York knew that the place was operating. It was brazenly open in its operation. If he did not know it was a Government-operated place, why did he not send his agents there? Why did he make no report about it? Why was no action taken? How can you continue in office a man who publicly states that a notoriously bootlegging establishment operating for over six months, known all over the city, was not known to him until after he read about it in the papers? You can give Mills either end of his defense in this matter, but you can not get away from his utter unfitness.

There has been conspicuous silence in reference to the Barrymore Club, contained in my fourth charge.

As to the charge contained in paragraph 5 of my letter of January 10, 1927, reference to Charles August Smith, that is a complete court record, first, the perjury, then the arrest, followed by the indictment, plea of guilty, conviction to 60 days' imprisonment, commitment, time served, reemployment, and yet you ask for additional information. This looks more like a "cover over" than an impartial investigation.

As to the charge contained in paragraph 6 of my letter, Michael Kelly's discharge from the police department is a matter of record; his employment by your department is likewise a matter of record. Yet you ask for additional information.

As to the charges contained in paragraphs 7 and 8 of my letter, the case of John C. Schilling is also a matter of record. The fact that he was found selling liquor is a court record. The fact that he was put under a personal injunction is also a court record. The fact that he was brought back to court for disobedience of the injunction against selling liquor is a matter of record. The fact that A. Bruce Bielaski appeared in his defense and that it was testified he was in the employ of your department is also a matter of court record. Yet you ask me for additional information.

As to the charge contained in paragraph 9 of my letter, the fact that R. M. Hodgert was in your employ can be found in your own records. The fact that he was arrested is a matter of court record in the city of New York. The fact that the Government appeared in his defense is a matter of court record. The fact that he beat a hotel bill shows his character and unfitness to hold Government office. Notwithstanding, your own subordinates testified in his behalf. His trial has

cost the Government thousands of dollars. And yet you ask for additional evidence.

As to the charge contained in paragraph 10 of my letter, the discharge of William R. Hughes from the Coast Guard Service is a matter of record in your own department. The fact of his reemployment is also a matter of record in your own department. And yet you ask for additional information.

As to the charge contained in paragraph 11 of my letter of January 10, 1927, they are all matters of record in your own department. The vouchers must be approved by the said Chester P. Mills, as well as be approved by a higher official in Washington. In the light of that, how can you ask for additional facts to sustain the charges?

As to the charge contained in paragraph 12 of my letter, that, too, is a matter of court record. Application was made to the court for the release of the automobile referred to in my letter. The automobile was released after the entry of an order by the court. The automobile was delivered to the farm of Chester P. Mills in Connecticut by two agents of your own department. It was never used, until the matter became public, for any other than for the private use of the family of the said Mills. Surely you can not reasonably ask for any additional information to sustain that charge.

As to the charge contained in paragraph 13 of my letter, no one knows more about the liquor being found in the automobile and the flimsy excuse given than you do yourself. You either have to justify and accept the flimsy excuse and publicly admit that the excuse was so flimsy as to be ridiculous, or else take proper action in the matter.

As to the charge contained in paragraph 14 of my letter, the matter of the purchase of gin and the giving of worthless checks therefor is also a matter of record in your own department. These checks were shown to you. You have personally seen them and yet no action has been taken. Whether it is liquor or anything else, a man who will give a no-good check in consideration for a purchase is of such character as to be unfit to hold a responsible Government position. And yet you ask for additional information.

In a few days I shall submit additional charges to the Secretary of the Treasury against the said Chester P. Mills which I had not entirely checked up at the time I submitted my first set of charges. And more to follow.

I am, sir,

Respectfully yours,

F. LA GUARDIA.

I have not only called attention to direct violations of law committed by Chester P. Mills, or under his directions, but I have also stated on this floor and I repeat now, that these spectacular stunts are conducted as a pretext of efficient law enforcement, while flagrant and wholesale violations of law are going on under the very nose of the New York officials either with their consent or with their connivance.

If Mr. Chester P. Mills would devote more time and effort to an intelligent and honest administration of the law in New York, he would not have so much time to give vent to his personal feeling in conducting a campaign of persecution against the Jews of that city or to indulge in the Treasury Department's favorite indoor sport of conducting unlawful dives and joints to entrap people into violating the law.

Within 15 miles of Times Square a brewery is running full force and carloads of real high-power beer containing from four to four and a half per cent alcohol leaves the brewery every night from 6 p. m. until the early hours of the next morning. As high as a thousand barrels have been shipped out of that brewery in two nights. The activities of this particular brewery have been called to the attention of Chester P. Mills by mail and by telephone. People can draw their own conclusions why no action is taken against a wholesale violation, and yet individual rabbis who have committed no wrong are summoned before officials of the department or sent down to the United States district attorney and given the third degree for hours at a time. While this brewery is operating agents were directed to cover a brewery in Brooklyn that was keeping within the law and when agents could not get anything on this particular brewery, other agents were sent there to frame a case and instructed to get the Brooklyn brewery by hook or crook.

Another splendid example of Mr. Chester P. Mills' efficiency and his handpicked agents, is the situation in Rockland County, New York State, where he has a prohibition agent whose father operates and conducts a saloon, and when Mr. Mills's agent raids a place, if it is found to have papa's goods everything is all right and if there is no "papa's goods" there, the offender is told where to buy his supply. If he does, he is let go. If he does not, he is pulled in.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. No; I can not yield.

Mr. HUDSON. You have put the name of Mr. Mills in the RECORD. Also put in the name of the agent.

Mr. LAGUARDIA. All right. Adler is the name of the agent. Is the gentleman satisfied now?

The prohibition office in New York has become a farce and it is impossible to find a fair-minded citizen in the city who has any respect or confidence for that office under its present management.

While this is going on, as a side line, this man Mills has conducted a campaign of persecution against the Jews. There is no group of people in the whole world who, as a group, are less addicted to drink than the Jews. Their custom, tradition, and history bear that statement out. Mr. Andrews displayed a confused state of mind when he testified before the Committee on Appropriations concerning the diversion of sacramental wines. Mills seemingly took the cue and perhaps nourishing personal prejudice, commenced harassing rabbis authorized under the law to withdraw wines for sacramental purposes. A system of calling them up to the prohibition office and then sending them down to the district attorney's office and having them questioned and harassed for hours has been going on several months. The present oppression of the Jewish people began some time last summer when Mills began sending for rabbis and took away their permits and made them agree to certain observances which restricted their use of wine contrary to the provisions of law and prevented the proper use of wine by their congregation for sacramental purposes. This oppression was not only exerted against the rabbis but against persons who properly held permits for the sale of wine on proper papers from rabbis. After conducting this campaign of oppression for weeks, Mills had it transferred to the office of the district attorney, and after third degreeling scores and scores of rabbis, three were finally indicted. When the case was brought to trial it was so flimsy and the frame-up so apparent, that it was dismissed by the judge at the end of the Government's case. I repeat that there is less drinking going on in circles of orthodox Jews where sacramental wine is used than in any other group in this country. Yet only two weeks ago in accordance with this campaign of oppression agents broke in on a wedding and just as the rabbi was performing the ancient custom of breaking the glass of wine, agents rushed in, broke up the sacred ceremony and sought to make an arrest.

Mills has been vile in his denunciation, profane in his description, and cruel in his persecution of these good citizens. The conduct of the prohibition department in New York toward the Jews has been so oppressive and unjustified as to make the Rumanian anti-Semitic campaign appear as a fellowship of mankind movement. [Laughter and applause.]

Whenever the suggestion is made that I am seeking to hamper the enforcement of the prohibition law I will come here and give specific instances where the law is not being enforced and where actual knowledge is brought home to the enforcement official.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FUNK. Mr. Chairman, I yield the time remaining to myself.

The CHAIRMAN. The gentleman is recognized for 43 minutes.

Mr. FUNK. Mr. Chairman and gentlemen: In closing the general debate on the District appropriation bill I wish to refer briefly to the subject that has consumed the largest part of the general debate which has pertained to the bill itself, and that is as to the question of 74 additional school-teachers. Of course, the committee gave due and proper consideration to the statements and recommendations made by Doctor Ballou, superintendent of schools, but I say to you frankly that he did not present his figures or his statistics in such shape that the committee, or at least a majority of the committee, four out of five of the committee, felt justified in granting his request for 74 additional teachers. We accord him all the respect he is entitled to but I give great weight and great consideration to the views of my two colleagues, the gentleman from Nebraska [Mr. SIMMONS] and the gentleman from Mississippi [Mr. COLLINS], both of whom are parents of scholars in the elementary schools of the District, and I take it those gentlemen are as vitally interested in the welfare of the schools and their proper maintenance as anyone else in this city. It is their unbiased and conclusive opinion that this item for 74 additional teachers was not justified.

Mr. Chairman and gentlemen, I want to give a brief resumé of the principal items in this bill, and I will detain you but for a few moments.

May I say at the outset that in addition to making a careful study of the recommendations which came to us through the Bureau of the Budget for financing the activities of the District of Columbia during the ensuing fiscal year the members of the subcommittee charged with the preparation of this bill went very

carefully into all of the essential features with the responsible officials of the local government and gave audience to practically every individual and association which sought an opportunity to bring germane matters to the committee's attention. In addition, I might say that members of the subcommittee before undertaking the hearings spent considerable time personally inspecting many and all of the important projects encompassed by the bill. Also, Mr. Chairman, I wish to acknowledge, on behalf of the committee, the fine cooperation we had from the gentleman from Vermont [Mr. GIBSON], who is doing a splendid work, in conjunction with other members of the District Legislative Committee, in ascertaining where improvements might be made in the conduct of the affairs of this municipality. I think the thanks of the House is due these gentlemen. There is much good that they can accomplish.

The bill here presented, taking it as a whole, is a good measure in practically every direction and one which I feel confident has the support of a great majority of the local citizens. The committee was given to understand by the head of the Citizens' Advisory Council, which is a body made up of representatives from each of a number of sectional citizens' associations, that the Budget estimates are practically in accord with the estimates presented to the commissioners by the Citizens' Advisory Council. In fact, the two submissions were but \$55,000 apart. This would indicate, I take it, that the citizens of Washington have a very large voice in shaping their city's fiscal program.

The committee, Mr. Chairman, has not wandered far from the Budget proposals. You will see that our action has resulted in a net reduction of but \$109,623. I do not mean by that to leave the impression that we simply made a number of reductions aggregating that sum. We have made increases, readjustments, and decreases, with the net result that the bill carries the sum I have stated less than the Budget proposals.

The bill carries appropriations totaling \$36,173,366. This sum exceeds the appropriations for the current fiscal year by \$1,214,795. As a matter of fact, however, we appropriated for two projects in last year's bill calling for a total of \$2,100,000, and, as there is no need to provide any money in this bill for those particular objects, the result is that for comparable purposes, generally speaking, this bill carries appropriations which exceed in the aggregate the sum of the current appropriations by more than \$3,000,000. Quite a considerable portion of this results from recent legislative enactments, such as the new assessment law, the act to alter the personnel of the Public Utilities Commission, the law placing offices of the register of wills and recorder of deeds on an appropriation instead of a fee basis, the law authorizing the new M Street Bridge over Rock Creek, the law authorizing the acquisition of a site for a garbage-reduction plant, the new teachers' retirement law, the judges' salary bill is reflected in this measure; and then there was the law providing for the erection of two bathing pools or beaches. These laws alone, Mr. Chairman, account for practically a million dollars of the increase in the bill over the bill of a year ago. The bulk of the balance will be found in the items of streets, sewers, schools, and water service. I shall refer to some of these a little later. Just now, with your permission, I should like to address myself to the matter of financing the bill.

In the first place, we are proposing a continuance of the lump-sum contribution plan inaugurated in the 1925 bill—\$9,000,000. In addition to that, we propose to continue to give up our share of certain miscellaneous revenue derived from rents, fees of various kinds, special assessments, sales, licenses, fines, and so forth, in which the Federal Government participated under the former 60-40 plan. Our share in these under the former arrangement it is estimated would total \$950,000 during 1928. Do not get the idea, therefore, gentlemen, that we contribute but \$9,000,000. Ten million would be nearer correct. Now let us see how the remainder of the money will be raised. There is still a balance in the special school fund of \$300,000. So from that source \$300,000, the bill provides, shall come. The gas-tax fund, that is the 2 cents per gallon tax on gasoline, will be charged with \$1,478,600. The water revenues will contribute \$1,591,210, and the Government's contribution, as I have stated, will amount to \$9,950,000. This leaves, therefore \$16,613,556 to be met—how? We are told that the intangible tax—5 mills on the dollar, will yield \$2,300,000. The tax on public utilities, banks, trust companies, and building associations will produce about \$2,140,000, and the District will receive in miscellaneous revenue, deducting the Government's share under the old arrangement, a sum estimated at \$1,800,000. The remainder, therefore, or \$16,613,556, is the sum that will have to be met by taxes on real estate and tangible personal property. So, as compared to this sum which will have to be met by tax levies, we find that the Federal Government,

according to the committee's proposals, will be called upon to contribute \$9,950,000, and I submit, Mr. Chairman, that that is a pretty fair contribution.

We are told, and I do not question the accuracy of the information, that a \$1.50 tax rate will suffice so far as this bill is concerned, including an allowance for unforeseen demands to the extent of \$500,000. Of course, the new assessment will be operative, effective from the first of next July, and on the basis of the estimated new assessed value of real estate \$1.50 will yield about as much revenue as the current \$1.80 rate will produce on the present valuation. The new valuation is estimated to aggregate \$1,150,000,000 and the present valuation totals \$951,000,000.

I do not mean to say that the rate next year will be \$1.50, because it may be necessary to add to this bill in another body or to make provision in the general deficiency bill in pursuance of several authorizations for which no estimates have been presented and which entail some rather substantial outlays. For example, I might cite the new police court building, the new building for the recorder of deeds, a nurses' home at Columbia Hospital, and a new farmers' market. We have been advised that for each additional draft amounting to \$627,500, 5 cents will need to be added to the \$1.50 rate. In all fairness, gentlemen, I think the taxpayers of the District might very well be satisfied. We all might wish that a situation equally as attractive existed in our home communities.

Mr. HASTINGS. Will the gentleman permit an interruption?

Mr. FUNK. Yes.

Mr. HASTINGS. Does the gentleman have any figures as to what is the average tax rate in cities with a population about the same as Washington, approximately 500,000?

Mr. FUNK. No. We had that in the hearings of a year ago, but we did not go into that this time.

Mr. HASTINGS. So the gentleman does not have that average tax rate in mind?

Mr. FUNK. No; but I will say to the gentleman the law provides that the assessment must be upon the full and fair cash value. As to what that means is a question of judgment with the various assessors in the various communities.

The biggest drain upon local resources is occasioned by the schools. Of the total sum proposed in this bill approximately one-third is on account of the public-school system. The exact amount is \$11,999,046. This is larger by \$1,093,675 than the sum of the current appropriations for the schools and \$345,655 less than the submissions which the committee considered. The new teachers' retirement law is responsible for \$289,000 of the increase. An initial appropriation becomes necessary on account of the equipment for the new McKinley High School, to be supplemented later by requests totaling possibly as much as \$350,000. There is a new item also in the sum of \$100,000 for providing fireproof stage curtains for the Central and Dunbar High Schools. These three items, plus an increase of \$490,000 for the construction of buildings, including the preparation of plans, and for the acquisition of school and playground sites account for the larger outlay proposed for 1928.

The building and land projects are in conformity with the five-year school-building program authorization. Two items the committee refused. One, for an addition to the Crummell School and other for a site for a health school for colored children. I, and some of my colleagues on the subcommittee, made a personal survey of these and other items, and our judgment is that there is no pressing need for either of these two school items at this time. The other instance of any consequence where we have departed from the school estimates is in the item for school teachers. Seventy-four additional teachers are included in the Budget estimates. Your committee has refused the money for making this expansion in the teaching staff. Despite our interest in the schools and our desire to see that the children of the Capital City shall have every educational advantage we must not at the same time, Mr. Chairman, let our propensities in this direction lead us into extravagance. My own judgment is that the school authorities are inclined to move too rapidly in building up the teaching corps. An abnormal condition prevails here by reason of the big developments in the remote sections of the District and the rapid encroachment that is occurring of the colored population upon former white school centers. These factors are reflected in the attendance statistics of the school system and are not, I fear, given very serious consideration by the school authorities. We can well afford to proceed a little cautiously in this respect, I believe, gentlemen. I am convinced that out of the present total of 2,656 teachers, the schools can be made to function smoothly and efficiently, any statement of the school authorities to the contrary notwithstanding.

Turning to the subject of streets, you will find that the bill generously provides for bettering and improving the city's

thoroughfares. Three important widening projects in the interest of accelerating the movement of traffic are made possible. One, Connecticut Avenue from M Street to Florida Avenue; another, Fifteenth Street from I Street to Massachusetts Avenue; and lastly Thirteenth Street from I Street to Massachusetts Avenue. Besides the usual run of new paving items a new item of \$450,000 appears for the improvement of streets throughout the city which have been paved more than 30 years. I am sure all of you who drive or own cars have noticed that a decided improvement has been made under the provisions of the bill of a year ago. As this bill makes available \$749,600 more than the bill of a year ago for new pavements, widening projects, and streets repairs, you can have some conception of the betterments that we may look to.

The report on the bill touches upon all of its principal aspects and I shall not take your time further to recount the money changes in their relationship to the bill of a year ago.

I should like to dwell for a moment on the matter of buying land. In the current appropriation act provision was made, exclusive of the National Capital Park and Planning Commission and the Anacostia Park project, for the acquisition of 11 parcels of land for specifically named uses, each having a price limitation of 125 per cent of the assessed value. To date two tracts have been bought under this limitation—a school site in Potomac Heights, and a police station in Tenleytown. The appropriations were made available until July 1, 1928, in order that negotiations for purchase could be deferred until the new assessment, which becomes effective July 1 next. I invite your attention to the statement and table on pages 37 and 38 of the hearings with respect to these land items. The table shows the present assessment, the maximum price payable applying the 125 per cent limitation thereto, the asking price, and the new assessment.

It discloses that a wide disparity will continue to exist when the new assessment becomes effective as between the asking prices and the new assessed values and gives renewed emphasis to the committee's contention that the law requiring full value assessments is not being properly administered or else that the owners of property here which is needed for public uses are determined to force local taxpayers to contribute toward extortionate prices for their personal gain. Now, gentlemen, despite this seeming deadlock, the committee does not believe that it is futile to attempt to accomplish its aim through the continuation of this price limitation. It may be true that it will have the effect of delaying acquisitions, but by continuing to focus public attention upon the matter it is believed that much can be accomplished to bring about a more satisfactory situation, and in this view I wish to emphasize that the head of the Citizens' Advisory Council concurs.

With respect to school building and playground sites specifically appropriated for, the current appropriation act provides that if any of such sites can not be acquired under the 125 per cent price limitation that funds thus released might be employed in acquiring any other land authorized to be purchased under the five-year school building program act. It is understood with respect to some of these latter that they may be purchased at a figure but little in excess of 125 per cent of the present assessed value. In order that advantage may be taken of propositions of this character, the committee is proposing to exempt from the 125 per cent limitation until June 30, 1927, \$154,000 of the funds made available in the current appropriation act for the purchase of school building and playground sites.

The site for a fire-engine house out Sixteenth Street extended, for which we provided a year ago, can not be purchased because the deeds contain a strict residential clause. Another site in the same vicinity is being negotiated for, and it appears that it can be purchased under the 125 per cent limitation.

We expected in last year's bill \$150,000 of the appropriation for the National Capital Park and Planning Commission from the operation of the 125 per cent limitation, and we are proposing to do the same thing in this bill. This limitation has operated to slow down purchases by the commission, particularly with respect to park and playground sites in the areas which are being developed. We are without information, however, as to the disparity which will exist between the asking price of properties it is sought to acquire and the estimated new assessed values. The current appropriation, by express provision, will extend beyond the time the new assessment becomes effective.

Gentlemen, I think we have got to be firm in our stand on this matter. There should be no wavering. If these speculators are made to realize that we are determined to block their avaricious schemes I believe we may confidently look forward to triumphing in our aim. I also believe this, however, Mr. Chairman: That we should not discriminate in these matters.

If we are going to impose the limitation on one piece of property we should impose it on all. I think this should be a condition attached to every local land purchase authorization we pass.

Now turning to traffic matters, I shall read to you from the report on the bill affecting this subject:

The Budget estimates for the office of the director of traffic a total of \$123,220, as compared with \$100,000 for the current fiscal year. The committee is proposing \$89,360, a decrease of \$33,860. The committee is providing for 8 positions instead of 17, as proposed in the Budget, resulting in a reduction of \$13,860. The committee sees no reason why this force should need to be expanded. An extra load was imposed this year by the need to renew automobile operators' permits. This work will have been completed by July 1 next. The Budget includes \$5,000 for making traffic counts and surveys. The police are available for such work and should be so employed when occasions or the need arises. This item has been eliminated.

The remainder of the reduction (\$15,000) has to do with the control of the automatic traffic signal lights. The estimates include an item of \$18,000 for personal services for attendance on nine separate control stations. Following an indication of the committee's disapproval of this item a plan was evolved for a central control station, making possible the reduction of \$15,000.

Here is a place in my judgment, Mr. Chairman, where perhaps even further economies might be effected and I suggest to the legislative committee that the principal mission of this office has been accomplished. Henceforward, it would seem, the work could be carried on by the director and his assistant—possibly one of them, with the assistance of two or three clerks. A traffic engineer really is all that is needed. The police should be able to take hold now, and with the cooperation of the traffic engineer, control and regulate traffic to the satisfaction of everybody. I can see already an overlapping and a tendency to build up an organization independent of existing means and facilities which might be utilized to do all work other than traffic planning.

Another situation to which I wish to invite attention relates to the office of the corporation counsel. The corporation counsel, under the law, receives \$1,000 extra compensation as general counsel to the Public Utilities Commission. His total compensation is \$6,000. The people's counsel just authorized it to receive \$7,500 per annum. Certainly the commission's counsel should be a man of equal attainments and compensated as well. The present corporation counsel may be a good lawyer and may be exceptionally able in the preparation of legal papers but in all frankness the committee's contacts with him force the conclusion that as an administrative officer he is not the man to be in charge of the city's legal staff. I suggest this office to the consideration of the legislative committee. A new directing head, to act also as general counsel to the Public Utilities Commission with commensurate compensation should be provided for.

As I said at the opening of my remarks, Mr. Chairman, we were aided in a number of ways in shaping this bill by studies made by the District Committee and communicated to us by the gentleman from Vermont [Mr. GIBSON]. The committee seeks and welcomes this cooperation—this team work. We have a big responsibility to discharge in legislating and appropriating for the Capital City of this great Republic and I am sure a close understanding and relationship between these two agencies is certain to lead to results to which we all can point with pride. [Applause.]

Mr. KETCHAM. Will the gentleman yield?

Mr. FUNK. Yes.

Mr. KETCHAM. Referring to the 125 per cent limitation in connection with the purchase of sites, will the gentleman inform the committee what has happened with reference to the prices demanded in an immediate vicinity to indicate how difficult it is to make such a limitation operative?

Mr. FUNK. I might give you the picture in a slightly different way. When it was proposed to acquire the square upon which the McKinley High School is located and when the matter of purchase was under contemplation we found that the asking price by private bargaining through representatives of the city and the owners, as well as the price fixed by condemnation juries, was from one to two to three to four to five times the assessed value. Therefore that land, assessed as it was, was not paying its proper proportionate share of the expenses of running this city.

Mr. KETCHAM. The gentleman recommended to the House, as I recall, the suspension of the application of this 125 per cent arrangement in certain specific cases. I was not quite clear as to the reason why that recommendation is made.

Mr. FUNK. We exempt \$150,000 of the \$600,000 appropriated to the District Parks Commission so that they will have

one-fourth of their \$600,000 without any 125 per cent limitation. That means they can use that money in going out and bargaining with certain people for very essential and necessary tracts, and it might be it would only be 130 per cent of the assessed valuation.

As to the money available for the purchase of school sites, there is \$154,000 to which the restriction of 125 per cent of the assessed valuation does not apply.

Mr. KETCHAM. The gentleman has explained the reason for this and it appears to be a very good one, but does the gentleman believe this to be a good policy for us to establish as a permanent practice?

Mr. FUNK. Does the gentleman mean to give them a certain sum like this?

Mr. KETCHAM. No; the restriction of 125 per cent. Is that a policy we ought to look forward to as a permanent one?

Mr. FUNK. I think it is, because one of two things confronts the taxpayers of this city. Either the assessed valuation of the property is not being made in accordance with the law which says that the assessment on real estate shall be at full, fair, cash value, or else the city is being held up by speculators, possibly in collusion with people who may have some control over the transaction, either through testifying as witnesses or even by being on the jury of award in the condemnation suits. I think the committee was convinced it was time to call a halt on the people of this town being robbed by having to pay exorbitant prices for land which is to be used for municipal purposes, and I think we have made very marked progress along that line.

Mr. KETCHAM. I want to congratulate the chairman of the subcommittee on his very able and comprehensive answer to the question and also upon his presentation of the bill. Ordinarily, these matters do not have a great deal of interest for the casual listener, but I am sure we have all greatly enjoyed and appreciated the statement of the gentleman.

Mr. FUNK. I thank the gentleman from Michigan.

Mr. Chairman, I yield back the balance of my time and I presume we will proceed with the reading of the bill.

The Clerk read down to line 17, page 3.

Mr. MOORE of Virginia. Mr. Chairman, I move to strike out the last word, simply for the purpose of asking unanimous consent that the gentleman from Mississippi [Mr. COLLINS] may be allowed to revise and extend his remarks on the pending bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read as follows:

AUDITOR'S OFFICE

For personal services in accordance with the classification act of 1923, \$88,640, and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as property and disbursing officer for the National Guard of the District of Columbia.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Does the gentleman desire recognition on the paragraph just read or the one that is being read?

Mr. GIBSON. I understood, Mr. Chairman, we had finished a paragraph, and with the consent of the committee I want to say a word in regard to the assessor's office in connection with the item which we have just passed.

The CHAIRMAN. Will the gentleman kindly wait a moment until the Clerk has finished reading the paragraph?

The Clerk concluded the reading of the paragraph.

Mr. GIBSON. I want to take this occasion to thank the chairman of the subcommittee of the Committee on Appropriations for his reference to the work of the subcommittee of the Committee on the District of Columbia.

I do not take any personal credit for this work. What we have accomplished has been due to the splendid cooperation we have received from different governmental agencies and on account of the ability of the other five members of the subcommittee who were appointed by the chairman of the Committee on the District of Columbia.

Just a word in regard to the work we are doing. As we go through this bill I would like from time to time to call the attention of the Members to some of the conditions that exist.

At the present time the assessor, by order of the District Commissioners, prepares each year a list of all delinquent taxes on real property. This is printed in book form. I hold in my hand the book which was prepared for this year. This contains a list of 23,000 pieces of real estate in the District upon which taxes had not been paid. No personal notice is given

as to the date when the taxes are due. No demand is made. No personal notice is given of the sale. There is published in at least one of the newspapers of the city a short paragraph of about 2 inches stating the time and place that a sale of the taxes due on the real estate will be held.

In January of this year 23,000 pieces of real estate were offered for sale for taxes. This book costs the District \$7,500 to publish and it is sold to people who wish to purchase it at \$16.70 per copy. Practically the only way a taxpayer can find whether his property has been advertised or not, is to go to the tax collector's office and purchase one of these books. Less than 50 of the 500 are actually sold and fully 400 copies are condemned every year. Some recommendations have been made by our committee to take care of this particular situation.

Of the 23,000 parcels of real estate that were offered for sale, 12,000 were sold. These were purchased by four people who are in the business of buying property at tax sales. This is a condition, of course, that ought not to obtain in a city like this.

The system followed results in a condition of affairs of which this is a fair illustration: One Jacob Keros bought some property in 1923 to be used as a home. It was represented to him at the time of purchase that the taxes had all been paid. He paid his taxes in 1924 and 1925 and when he asked for the amount of his taxes for 1926, he was told that somebody up in Rochester, N. Y., had paid them. In looking back in the records he found his place had been sold at one of these tax sales in 1923. He was compelled to pay interest at the rate of 1 per cent per month, and \$100 attorney's fees in order to redeem his property. There are thousands of similar cases in the District of Columbia.

The pro forma amendment was withdrawn.
The Clerk read as follows:

OFFICE OF CORPORATION COUNSEL

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, \$6,000, and other personal services in accordance with the classification act of 1923, \$40,000; in all, \$46,000, and no part of this appropriation shall be available for the compensation of any person giving less than full time from 9 o'clock antemeridian to 4.30 o'clock postmeridian to his official duties.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a question. The chairman, in his presentation of this bill with reference to the office of corporation counsel, made some reference to the necessity of getting a fairly competent man for this position, and then suggested that the matter should be looked into by the legislative committee, of which I am chairman. May I ask the gentleman what he had in mind when he referred to this? Is it necessary to have further authorization of law in order to increase the salary for the corporation counsel?

Mr. FUNK. Apparently under the salary now authorized and being appropriated for a sufficiently competent man is not being employed. The corporation counsel has been before our committee during the two years that I have been chairman, and apparently he knows but very little about the affairs of his office. I have been told that perhaps he is a good legal adviser, but as an administrator of a large executive office he does not seem to have the proper qualifications. Therefore, it is respectfully suggested to the legislative committee that if there is a failure to secure a man with proper qualifications, it must be due to the fact that the salary is not large enough to secure one.

Mr. ZIHLMAN. Is the corporation counsel now receiving the maximum of the grade in which he is allocated?

Mr. FUNK. No; the maximum is \$7,500, and he is receiving \$6,000.

Mr. ZIHLMAN. Then that is not a matter for the legislative committee, but should be considered by the Committee on Appropriations.

Mr. FUNK. I do not think that the gentleman gets my point. I do not think an addition of \$1,500 would secure the services of the character and qualifications that the man ought to have to hold this office.

Mr. ZIHLMAN. I am not arguing the point with the gentleman.

Mr. FUNK. As long as this man still holds the office it would not better things to increase his salary from \$6,000 to \$7,500. I think the office of corporation counsel should have a salary attached to it of \$10,000 to compete with high-priced attorneys for various corporations.

Mr. ZIHLMAN. If the gentleman's statement is correct it is a matter for the District Commissioners. I do not feel that

the committee of which I am chairman would be justified in increasing the salary of the corporation counsel 25 per cent over what the commissioners have.

Mr. FUNK. I hope the gentleman will not think that I made this in any spirit of criticism; it was simply in the nature of cooperation to bring about the most desirable results for the District.

Mr. ZIHLMAN. I am trying to ascertain what the gentleman had in mind.

Mr. FUNK. I think you should recommend that the salary of this position should be eight or ten thousand dollars in order to secure the service of a high class and capable and efficient attorney.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word. I quite agree with the chairman of the Subcommittee on Appropriations in regard to the office of corporation counsel. It is a very important position. He represents the District of Columbia in all pending litigation. Some of that litigation relates to the collection of taxes.

In that connection let me call attention to the condition that exists in connection with the collection of taxes from public service corporations. The committee which investigated the conditions in the District last session found that there is due from public service corporations to the District of Columbia in the way of taxes about \$1,100,000. These taxes have been accumulating since 1910. It is the duty of the corporation counsel to force the tax cases to an issue, and yet the committee was unable to find that the corporation counsel had taken the proper initiative to protect the interests of the people of the District of Columbia.

The pro forma amendment was withdrawn.

Mr. MENGES. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Vermont a question. I understand there is some difficulty about the collection of taxes in this District. I have a representative from my district living here and some owning property who do not live here. Is it possible that this property might be sold on account of taxes not being paid and the taxpayer not notified?

Mr. GIBSON. The law of the District does not require a notice of the date when real-estate taxes are due and no notice is given to the taxpayer. As a result a large number of pieces of real estate have been sold for taxes in the last few years owing to the fact that the owner did not carry in his mind the date that the taxes became due.

Mr. MENGES. Has any remedial legislation been suggested in the bill under consideration to prevent this thing?

Mr. GIBSON. I will say to the gentleman from Pennsylvania that we are in the midst of a survey of the tax collector's office and the tax assessor's office and we will have within a few days some definite recommendations to make.

I have referred to the real-estate taxes. Up to the present time our committee discovered a loss of \$1,192,000 of personal-property taxes in the last five years, due to loose methods of collection and lack of sufficient assistance in the collector's office. A recommendation as to taking care of this condition will also be included in the recommendation made by our subcommittee.

Mr. MENGES. How can a person proceed to get back this property which has been sold for taxes?

Mr. GIBSON. The person who owned the land has the right of redemption. He is required to pay the taxes and 1 per cent a month, or 12 per cent a year. If more than two years has elapsed since the sale, an attempt is made, and in most cases it results in success, to collect an attorney's fee running from \$50 to \$250 in each case. If the gentleman has a case where land has been sold for taxes, he may consult these various tax-sale books issued from year to year. The gentleman can get this one at the tax collector's office for \$16.70 and he can get the one that was issued last year for \$14.50, or something like that. The book is not indexed, but the gentleman can look through it and he may discover whether the property has been sold or not.

Mr. MENGES. I am much obliged to the gentleman.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

For carrying out the provisions of section 11 of the District of Columbia appropriation act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, \$15,000.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word for the purpose of getting information from our good-natured chairman of the subcommittee or from any other gentleman of that committee. I notice, Mr. Chairman, recently a great many newspaper articles in our Washington newspapers with reference to condemnation proceedings and the fact that certain property holders are said to be demanding unfair prices for property that is required for public use. Considerable space is devoted to the subject, and apparently has excited a great deal of attention among real estate circles. I believe there is a feeling prevalent that these citizens were taking advantage of public needs for the purpose of making an unusual profit. Has the committee considered the advisability and legality of such a measure or amendment, or whatever course would be necessary, whereby a jury of freeholders would be prohibited from awarding a judgment in excess of the amount for which the property was assessed and made to pay taxes?

Mr. FUNK. Mr. Chairman, that matter was discussed, perhaps not exactly upon that point, but as a general situation. Frankly this thought occurred to me: I am not a lawyer, but I can not see any good reason why the testimony of the assessor as to what he had assessed the property for and the production of the public record in respect to a particular tract or parcel of land should not be the evidence upon which the jury should act. I offered that suggestion somewhat in line with the gentleman's thought.

Mr. O'CONNOR of Louisiana. The gentleman has my thought correctly.

Mr. FUNK. I was immediately called down by some legal light with the statement that testimony of that character was not competent, at least in the jurisdiction from which he came. I think that is the rule of the court as to evidence here in the District of Columbia. We did at one time contemplate even incorporating some such suggestion as the gentleman has made in this appropriation bill, but we realized, of course, that it would be subject to a point of order and it might be futile to even attempt it.

Mr. O'CONNOR of Louisiana. I do not know the formula for making assessments in the District of Columbia.

Mr. FUNK. The law says the full, fair, cash value.

Mr. O'CONNOR of Louisiana. But I can thoroughly understand that if the judgment of the assessor was alone at issue a court might consider it inadvisable to put that valuation upon it which was fixed by him for taxation purposes. For instance, in the city of New Orleans—and I imagine all cities of similar size are governed by the same municipal regulations—and that is true of New Orleans, even though it is in a civil-law State, which is different from other States of the Union—

Mr. FUNK. The Napoleonic Code.

Mr. O'CONNOR of Louisiana. Yes. The assessor is compelled by law to file with the property holder a statement in blank or petition in which the property holder is obligated to set forth his own value and to swear to it. He gives the amount of rent he derives, the amount of insurance on it, and all of the statistical information that could be of value in appraising that property, and as a consequence I think we have as fair an assessment at this time as prevails throughout the country. If the property holder fails to return the statement properly filled out in the time fixed by law, he loses the right of review by a court of competent jurisdiction of the assessment made by the assessor. While such an assessment is not conclusive, it is an important factor in determining the value of property that may be required for public purposes in expropriation proceedings, which is the name we use instead of condemnation as used by you. Again, our jury of freeholders is composed of 12 men or women, who pass, in accordance with the time-honored wisdom of that ancient institution of liberty, upon the property of him who has to yield it for the public good, instead of 3 or 4 realtors who may or may not have an interest, remote or otherwise.

Mr. SIMMONS. Mr. Chairman, I rise in opposition to the pro forma amendment. The situation in the District of Columbia on this matter of assessments is just about this: The assessor has some deputies, whom he appoints, who go around and, as he says, equalize the assessments, based on past sales. Those assessments are then finally passed on and approved by the District Commissioners, so that the assessment that goes into effect on July 1 of this year will be approved by the District Commissioners as of that date. There is no question but that the assessed values in the District of Columbia are far below the cash value of the land, due to the fact that the assessor insists on fixing the assessed value on prior sales, and he may go back two or three or four years to get a sale value in the community on which to fix his assessment. The homes of the city, so far as the investigation of our committee is con-

cerned, are assessed at about 80 to 90 per cent of their present sale value. We had this striking illustration, however, of the fact that unimproved land is assessed away below its actual value.

There is in the hearings testimony regarding 22 acres of land which the park people wanted to secure for the Potomac Parkway. We have an affidavit of the owner of the land that it was worth in excess of \$135,000, yet the assessor placed the value as of July 1 this year at 14 per cent of that amount, and we were asked to remove the restriction in the price of it that they might buy at that value. It is being taxed at about 10 per cent of what the assessor thinks it is worth. The proposition the gentleman offers is one that might be a help, as I see it offhand, to restrict a freedom of the court in arriving at the value. We have reached it in exactly another way. We can not put whatever value we want under condemnation, because we have to take the amount based on assessment. A condemnation proceeding in the District is one that is extremely complicated and one that is open to considerable potential fraud, and it is one of the things which Mr. Gibson's committee later intend asking some action on and to investigate the way in which condemnation juries are handled in the District. Incidentally, we were discussing the corporation counsel in that regard.

Last year the committee criticized the fact that he knew absolutely nothing about condemnation cases, paid no attention to them, considered them as mere routine things in his office. This year he came to the committee and he said he had taken a man from police-court work and put him in his office on condemnation cases, and he paid no further attention to it. We must protect in some way the District as long as the administrative officers of the District allow that sort of condition to prevail.

Mr. O'CONNOR of Louisiana. I thoroughly understand, and I had no idea of criticizing either the committee or the juries; but it occurred to me from this angle of discussion that a spark of truth might fly and incidentally give us some idea which might be beneficial in relation to this matter.

Mr. GIBSON. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the gentleman from Nebraska has stated that these condemnation proceedings and the practice here in the District afford an opportunity for potential fraud. In connection with that statement may I call attention to the condemnation juries. We have two jury boxes under the control of the jury commission, one for grand and petit jurors and one for condemnation jurors. That commission consists of three men. When a condemnation case is submitted the jury consists of three or five. I have before me a list of the condemnation juries drawn from the condemnation jury box for the last two years. In practically every case there was an active real-estate man on the jury, and in some cases three real-estate men. This list reveals that a real-estate man who served on a jury in a case, say, two or three months ago will have a case of his own before a jury of realtors this month. Naturally, the awards of these juries are excessive.

Mr. SIMMONS. Will the gentleman yield?

Mr. GIBSON. In a moment. In that connection I call attention to a recent case investigated at Sherman Circle. The new assessment on the land that the District was seeking to take was about 40 cents a foot. The jury awarded \$1.36 a foot. Other real estate of the same defendant in that immediate vicinity is assessed at 15 cents a foot. So you see this award was outside of all reason.

Mr. SIMMONS. If the gentleman will investigate the hearings of our subcommittee last year, he will find the corporation counsel was using—I think in every case but one—as a witness on behalf of the city as to values just one man, and that one man an employee of one of the largest real-estate firms in the District.

Mr. GIBSON. I will say to the gentleman from Nebraska that under the direction of the court the corporation counsel has been practically limited to the use of these experts. The jury is directed by the court to accept only expert testimony, and the assessed valuation is not taken into consideration at all.

Now, on Pennsylvania Avenue, as soon as it became apparent that the Government was seeking to acquire some squares and triangles for new Government buildings, a large number of the real-estate men got busy and tried to obtain from the owners options or powers of attorney to represent them. The control of those squares, as appeared by evidence produced before our committee, have largely fallen into the hands of one man, who has been quite active in selling school sites and park sites to the District for a good many years. You see it is this circle that we are trying to get inside of and break up.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For printing all annual and special reports of the government of the District of Columbia for the fiscal year ending June 30, 1927, for submission to Congress, \$4,800: *Provided*, That authority is hereby given the Commissioners of the District of Columbia to discontinue the printing of any annual or special reports of the government of the District of Columbia in order to keep the expenditures within this appropriation. In all cases where the printing of said reports is discontinued, the original copy thereof shall be kept on file in the offices of the Commissioners of the District of Columbia for public inspection.

Mr. GIBSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question.

The CHAIRMAN. The gentleman from Vermont moves to strike out the last word.

Mr. GIBSON. Does this provision on page 12, in line 10, prevent further printing of the real estate tax sale book?

Mr. FUNK. The refusal to grant money for the printing of the tax sales is taken care of a little further on, on page 16, line 5. Does that answer the gentleman's question?

Mr. GIBSON. That answers it.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

In all, \$162,700; to be disbursed and accounted for as "Street improvements," and for that purpose shall constitute one fund: *Provided*, That no part of such fund shall be used for the improvement of any street or section thereof not herein specified.

Mr. ZIHLMAN. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the subcommittee a question.

The CHAIRMAN. The gentleman from Maryland moves to strike out the last word.

Mr. ZIHLMAN. Mr. Chairman, I notice that on page 18, line 15, the committee have inserted a new item, as follows:

Northwest: For paving Hawthorne Street, Forty-fourth Street to Forty-fourth Place, \$6,000.

May I ask the chairman of the subcommittee if this was included in the list of streets embraced in the recommendation of the Budget Bureau?

Mr. FUNK. It was not.

Mr. ZIHLMAN. May I ask the gentleman further what was the reason for inserting this item?

Mr. FUNK. We viewed the street and deemed it advisable that it be improved. It was within our authority.

Mr. ZIHLMAN. I call the gentleman's attention also to line 20 of page 19, as follows:

Northeast: Fifty-seventh Street, Blaine Avenue to Dix Street, \$5,000.

May I ask the chairman if that was included in the estimates?

Mr. FUNK. It was not; but it was brought to our attention by the citizens' association of that section—the Bennings Citizens' Association. They pointed out that the appropriation bills for the last few years had not appropriated very much money for that particular section. This is for the grading of a street preparatory ultimately to paving. They made a very good case for their request.

Mr. ZIHLMAN. May I ask the chairman further? He has made reference to the lack of improvements in the northeast section of the city. I quite agree with the gentleman from Illinois that this section has been largely overlooked in the substantial program of improvements that have been carried on in the District.

I notice on the next page of the bill, page 21, that various items of paving in the northeast section have been cut from 20 to 50 per cent under the estimates of the Bureau of the Budget. I assume that the committee have had additional information on this, but it is a strange thing that all these cuts have been made in the northeast section of the city, and they aggregate a considerable sum, although the language carried as to the amount of paving follows the language of the original estimates.

Mr. FUNK. We think a very convincing argument has been made for these changes. We have viewed the streets and looked over this proposition carefully and spent more than six days on it. We find that the items to which the gentleman refers provided for sheet asphalt pavements and granite curbs.

It was our conclusion, as this was purely a residential street, with comparatively little traffic on it, that a smaller expenditure for a different kind of pavement, namely, concrete, would serve the purpose, and also a concrete curb. There will not be one heavy truck in six months back up to one of those curbs,

and a concrete curb is sufficiently strong and very much cheaper. We found that the comparative cost was about in the ratio of two to three, three representing sheet asphalt, with granite curbing, and two representing concrete, with concrete curbing, and that made more money available. Seventy thousand dollars was the difference in the estimated cost as between sheet asphalt and concrete, and this money was expended on other streets or recommended to be expended.

Mr. ZIHLMAN. There has been no saving in this item; to the contrary, there is an increase.

Mr. FUNK. Perhaps I was not happy in my choice of the word "saving." I will say it extended the amount of pavement and increased the amount of pavement, due to the use of concrete in connection with this pavement. It made it possible to lay more pavement for the same amount of money.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. ZIHLMAN. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. FUNK. Mr. Chairman, I rise in opposition to the amendment and yield the gentleman my time.

Mr. ZIHLMAN. I have not offered any amendment as yet. Mr. Chairman, I have asked unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. ZIHLMAN. In view of the fact that the chairman of the subcommittee and the members of the committee have inserted in the bill various and sundry items which have not been approved by the Budget and are entirely new items, I take it the chairman of the subcommittee would not object if I, as one humble Member of the House, would offer a similar amendment for the consideration of the members of the committee.

Mr. FUNK. I would not object at all, but I will not say I will agree to your amendment, which no doubt relates to Sixteenth Street. You probably have that in mind, and I will speak against it, as I am familiar with that situation.

Mr. ZIHLMAN. I do not have the paving of Sixteenth Street in mind. Mr. Chairman, I offer an amendment to this page of the bill.

The CHAIRMAN. The gentleman from Maryland offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ZIHLMAN. Page 19, after line 25, insert: "Northwest: Kalmia Road to District Line, \$22,000."

Mr. BLANTON. Mr. Chairman, I want to ask the gentleman a question. Where is this road?

Mr. ZIHLMAN. This part of Kalmia Road runs from its intersection with Sixteenth Street to the District Line. Mr. Chairman, I ask unanimous consent to correct the language of the amendment I have offered by inserting the words—

Sixteenth Street, between Kalmia Road and District Line, grading, \$22,000.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Without objection, the Clerk will report the amendment as modified.

There was no objection.

The Clerk read as follows:

Page 19, after line 25, insert a new paragraph as follows: "Northwest: Sixteenth Street, between Kalmia Road and District Line, grading \$22,000."

Mr. FUNK. Is the gentleman from Maryland going to support his amendment?

Mr. ZIHLMAN. I was waiting on the gentleman from Texas.

Mr. FUNK. If not, I rise in opposition to the amendment. Mr. Chairman, I am very familiar with the situation. Most of you know that Sixteenth Street from Alaska Avenue, which is the point opposite the Walter Reed Hospital, where Alaska Avenue leaves Sixteenth Street, has been graded, that is, Sixteenth Street has been graded from Alaska Avenue, at its intersection with Sixteenth Street, up through that hill to Kalmia Road. That money has been appropriated. Now, this amendment seeks to provide funds to grade Sixteenth Street from Kalmia Road to the District Line, and I want to say I have inspected this location quite thoroughly and it leads nowhere; it leads to a dead end and there is a great gulch and gully through there.

Mr. TYDINGS. Will the gentleman yield?

Mr. FUNK. I will not yield until I have finished my statement.

Mr. TYDINGS. The gentleman is making a false statement and I know the gentleman does not want to make such a statement.

Mr. FUNK. I am not making a false statement.

Mr. TYDINGS. I do not mean intentionally, but the gentleman is misquoting the facts.

Mr. FUNK. I do not care to be interrupted, Mr. Chairman. This is simply a real estate development proposition. They are asking for \$22,000 to grade Sixteenth Street from Kalmia Road to the District line which, as I have said, is a dead end; it leads nowhere. It will serve no purpose and I think this money would be thrown away just as though we burned it up. I know what the gentlemen who support this amendment will say. They will say it is proposed by the State highway department of Maryland to bring a road to this point. Very well; when they do that then, if I were on the committee, I might support the amendment; but to spend \$22,000 over a country that is a gulch and leads nowhere, I think, is foolishness. I would not do it in my own business and I do not think anybody else would if he were familiar with the situation.

Mr. BLANTON and Mr. ZIHLMAN rose.

Mr. ZIHLMAN. Mr. Chairman, I ask recognition in support of my amendment.

The CHAIRMAN. The Chair rather thinks the gentleman from Maryland has lost his prior right.

Mr. BLANTON. The gentleman did not seek recognition.

Mr. ZIHLMAN. The gentleman from Texas interrupted the gentleman by interrogating him and I was waiting for the gentleman from Texas to propound his question when the chairman of the subcommittee claimed recognition.

Mr. BLANTON. I simply want to bring out some information.

The CHAIRMAN. The Chair will say that the gentleman from Maryland took his seat, for some reason unknown to the Chair, and inasmuch as the gentleman from Texas has been on his feet seeking recognition, the Chair thinks, under the circumstances, he should first recognize the gentleman from Texas.

Mr. ZIHLMAN. I do not wish to take the gentleman from Texas off his feet.

Mr. BLANTON. Mr. Chairman, I shall not take long. I shall not even use the entire five minutes. I want my friend, our Senator elect from Maryland, to get up here and explain his position, and I know he will do that.

I think the situation is just as our chairman of the subcommittee [Mr. FUNK] has stated it, and I agree with him in toto. If you start out Sixteenth Street you come to the jumping-off place where Alaska Avenue begins. Now, what is the use of extending Sixteenth Street further on when Alaska Avenue is the avenue that brings the real traffic in from Maryland? This is nothing in the world but a real-estate scheme.

Mr. SIMMONS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. SIMMONS. We are providing for the paving and widening of Alaska Avenue in this bill upon the recommendation of the commissioners.

Mr. BLANTON. Why, certainly, and the improvement of Alaska Avenue has developed a new territory out there.

The gentleman from Maryland, of course, has to keep his preelection promises to his people out there, and he has to get them these things that they are interested in, and, naturally, the gentleman gets up here and offers his amendment and then sits down. Then the other distinguished coming Senator from Maryland is going to get up here and back him up in it.

Mr. TYDINGS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. TYDINGS. I can understand from what the gentleman has already said that he is talking without a full knowledge of the facts. If the gentleman had let me speak first and explain the situation, the gentleman would have realized there is more to it than the gentleman has shown he knows about it.

Mr. BLANTON. I have been watching the Alaska Avenue development long before the gentleman from Maryland came to Congress.

Mr. TYDINGS. But, if the gentleman will yield to me again, there are a whole lot of roads beyond there, and this is a peculiar situation, and I think if the gentleman had allowed me to picture this entire situation to him in a different way from the way it now appears to him, I believe there is a chance that the gentleman might concede that the project has some merit to it.

Mr. BLANTON. Of course, there are some Marylanders who live in this section who would like to have Sixteenth Street developed out to the District line and then they would not have to come around by way of Alaska Avenue.

Mr. TYDINGS. The gentleman has stated that Sixteenth Street stops at Alaska Avenue. The gentleman is wrong about that. The grading has already been provided way beyond that point.

Mr. BLANTON. I know there is a kind of right of way cut through there.

Mr. TYDINGS. No; thousands of dollars have been expended on the grading of it already and we have that work done now.

Mr. BLANTON. Mr. Chairman, I do not want to take any further time. I agree with our chairman, the gentleman from [Mr. FUNK] and I am going to back him up in this matter.

Mr. TYDINGS. The gentleman is not going to agree with him until he hears all the facts, I am sure.

Mr. ZIHLMAN. Mr. Chairman, this amendment is offered absolutely in good faith. The subcommittee have not hesitated to override the judgment and wisdom of the Budget officials. I give them all credit for doing so. I do not think because a Budget is prepared in the Treasury Department for proposed improvements that Congress is to be bound hard and fast by those recommendations. But I am surprised that the chairman should take the floor in opposition to the expenditure of only \$22,000 when I know that last year we provided \$60,000 for the grading of the same street from Alaska Avenue to Kalmia Street.

Mr. FUNK. The gentleman wants to be fair. That expenditure was between two paved streets, the intersections of Sixteenth Street with Alaska Avenue and Kalmia Road. The gentleman's amendment proposes to grade Sixteenth Street and end nowhere.

Mr. ZIHLMAN. To the District line.

Mr. FUNK. A dead end.

Mr. ZIHLMAN. The Senator elect from Maryland appeared before your committee and offered to put in the Record a pledge by the Maryland authorities that they would connect up to the Maryland system. I know that this is not approved by the subcommittee, but I say to the Committee of the Whole House on the state of the Union that this extension of Sixteenth Street is approved by the District Commissioners, by the National Park and Planning Commission, the Fine Arts Commission, and by everybody who is interested in the beautification and development of the northwest section of the city. Whether the committee approves of this or not, it is going to be done—if not this year, it is going to be done next year. I am surprised that this small appropriation should be refused when the Maryland authorities pledge themselves to connect up the Maryland system. My purpose in offering the amendment, in spite of the opposition of the subcommittee, is that there is a fill that will have to be made, and we want it done now in order that the work may settle so that we can have the street paved to the District line. I certainly hope this small request made by those who represent this District and this section will be granted by the committee.

Mr. TYDINGS. Mr. Chairman, I appeared before the Appropriations Committee, the District of Columbia branch thereof, and submitted to the chairman of that committee a statement from the State roads chairman of the State of Maryland and from the county commissioners of Montgomery County, the adjoining county, that if this road was built from Kalmia Road to the District line the Maryland authorities were going to build a road out to the District line. If we complete that road up to the District line, it makes a route from Baltimore city to Washington, a direct highway, which eliminates several curves, and is the most used route for automobile trucks and pleasure cars of any route between Baltimore and Washington. The money is provided for by the county commissioners of Maryland, and they have gone on record in regard to it. I submitted all that to the committee with the statement that the Maryland authorities would build their part of the road.

So far, from Alaska Avenue and Kalmia Road, Sixteenth Street is graded. But from Kalmia Road to the Maryland line it has not been graded. You gentlemen know that if you grade a street now it is not safe to commence work on it at once, for time must be allowed to let it settle. My purpose in asking for the \$22,000 now is to have this graded so that when the Maryland road is built to the District line the graded work will have had time to settle so that we can commence work and have this continuous route from Baltimore to the city of Washington.

Mr. SIMMONS. Mr. Chairman, will the gentleman yield?

Mr. TYDINGS. Yes.

Mr. SIMMONS. When we pave Alaska Avenue from Sixteenth Street to Georgia Avenue, we then will have connected Baltimore up with a paved highway in Washington.

Mr. TYDINGS. Yes.

Mr. SIMMONS. It depends on whether you go up Sixteenth Street, then out Alaska Avenue to Georgia Avenue, and then on to Baltimore, or whether you go over Sixteenth Street direct, which side of the quadrant you take.

Mr. TYDINGS. You have to go across Alaska Avenue to a road there and cut through to Silver Springs, and that road has several curves on it, in order to get into the Colesville Pike. Furthermore, I want to appeal to the gentleman's civic pride. Here is the finest street in the city of Washington, one whose beauty we are all proud of, one whose development we should encourage, one whose right of way has been dedicated, where an additional right of way has been given to the commissioners by the property owners of the adjoining land, one that will continue right from the White House out to the District line. The Maryland authorities have already gone on record and said that they will build the road up to the District line, and all we ask you now is to grade the street so that when you get ready to join with us, the grading will have settled and will not crumble all to pieces, as it will if the street is built in a hurry.

Mr. WELCH of California. Does the gentleman know when the State of Maryland contemplates building up to the District line?

Mr. TYDINGS. Yes; in the letters and resolutions which I presented before the committee they said that they would do it this summer.

The CHAIRMAN. The time of the gentleman from Maryland has expired. Without objection the pro forma amendment will be withdrawn.

Mr. FUNK. Mr. Chairman, I move to strike out the last two words. I think the members of the committee have this matter pretty well before them but my own view as to the necessity for a road is this: Either it comes from the need for through traffic or because of abutting property owners. There is not a house or a barn or a store or any other building abutting this proposed road. That eliminates the need of local people for a road. As to the needs of through traffic, as has been pointed out, the through traffic now leaves Sixteenth Street at Alaska Avenue and goes to the District line. These gentlemen who are supporting this item have insisted that we keep in the item of \$58,000 to widen and improve Alaska Avenue, and it is in the bill. There is no need for this proposed road to accommodate the through traffic.

Mr. ZIHLMAN. Mr. Chairman, will the gentleman yield?

Mr. FUNK. There is no local need and there is no through traffic need. As to the gentleman's statement that the authorities of Maryland propose to build a road up to this point at the District line, I do not doubt that. I have no reason for doubting it and no authority for doubting it. When they have done that and have brought the road up, then I think it is time for this committee to consider whether we will connect up or not. It serves nobody; it runs into a dead end. This is simply a real estate development.

Mr. ZIHLMAN. The gentleman inspected that road. Will there not be a very large fill that will require time for settling?

Mr. FUNK. Yes.

Mr. ZIHLMAN. Was it not the idea of the committee when they spent \$60,000 to grade from Alaska Avenue to Kalmia Street, that this would be eventually carried through?

Mr. FUNK. I say to the gentleman and members of the committee that it was not by my vote that the grading was done on Sixteenth Street. I think it is a useless expenditure which we made.

Mr. ZIHLMAN. Is it not a fact that this land which it is proposed to grade has been for 25 years dedicated to the District; that the owners 25 years ago dedicated a right of way 160 feet wide?

Mr. FUNK. That may be.

Mr. ZIHLMAN. With the idea that eventually you would grade and pave that street?

Mr. FUNK. That may be. That is the way we do things in my country. We dedicate and give to the public land for roads.

Mr. ZIHLMAN. That was done in this case.

Mr. TYDINGS. How long ago?

Mr. ZIHLMAN. About 25 years ago.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from Maryland.

The question was taken; and on a division (demanded by Mr. ZIHLMAN) there were—ayes 21, noes 18.

Mr. FUNK. Mr. Chairman, I object to the vote because there is no quorum present, and I move the committee do now rise.

The CHAIRMAN. The Chair will count. [After counting.] Forty-five gentlemen are present; not a quorum.

Mr. FUNK. I move that the committee do now rise.

Mr. TYDINGS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TYDINGS. To make a privilege motion that the committee do now adjourn.

Mr. FUNK. Mr. Chairman, I move that the committee do now rise.

Mr. ZIHLMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ZIHLMAN. In the event the committee rises, the Chair not having announced the vote—

The CHAIRMAN. Yes.

Mr. ZIHLMAN. Do I understand the amendment was adopted?

Mr. BLANTON. No; it will come up again to-morrow morning.

The CHAIRMAN. The amendment will come up the next session of the committee. The question is on the motion of the gentleman from Illinois that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDELM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 16800, had come to no resolution thereon.

POSTAL RATES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the subject of postal rates.

The SPEAKER. Is there objection? [After pause.] The Chair hears none.

Mr. CELLER. Mr. Speaker, during the fiscal year 1926, the Postal Service was run at a loss of almost thirty-eight and one-half million dollars. (See Cost Ascertainment, Post Office Department, December 6, 1926, page 6.) Only two branches yielded profit, postal savings and first-class mail. Yet, when the last postal rate bill was passed it was the proud boast that the increased rates would more than provide for increased salaries and prevent a loss.

The proponents of increased postal rates have failed to learn the lesson that every storekeeper knows. Raise price of goods too high and customers go elsewhere. Boost the selling price unduly and people use substitutes. So the Government has increased postal rates to the point of diminishing returns. By this shortsighted policy Congress legislated out of the postal system 721,000,000 pieces of mailing matter in the last fiscal year. The illogical increases in 2d, 3d, and 4th class mail and the doubling the cost of mailing post cards, "did the trick." In addition there was lost to the Post Office Department the normal increase of revenue (estimated over a period of years) to be somewhat over 7 per cent per annum. Had the rates remained unchanged this normal yearly increase would have gradually offset increased wages. But now normal increase has been changed into a widespread loss of service and revenue.

The causes of the difficulty can and must be removed. Among other things we must—

First. Cut down post-card postage from 2 cents to 1 cent. When the rate was doubled by the act of February 28, 1925, it was estimated by the Post Office Department that a billion post cards would be carried during that fiscal year. It was, indeed, a severe blow to the service when it was discovered that for the fiscal year of 1926, 206,051,432 were carried—just a little over one-fifth of the estimated amount. People would not pay 2 cents to send a picture post card. They would rather do without. Unless the rate is changed to 1 cent, picture post cards will fall into disuse and instead of deriving additional revenue the Government will continue to get a decreasing revenue.

Second. We must reduce the rate of transient second-class matter. This consists of publications handled as second class but mailed by others than the publishers or news agents. The rate formerly was 1 cent for each 4 ounces. It was increased to 2 cents for 2 ounces up to 8 ounces, after which the rates for parcel post applies. For 1926 the loss in volume on this class of mail was 62 per cent and the loss in revenue was more than 37 per cent. Unless we go back to the old rate the people will gradually discontinue this service. It is now too costly.

Third. Data submitted by the Post Office Department indicates a general falling off in business in the third and fourth

classes of about 438,000,000 pieces of mail during each of the last two fiscal years, with consequent loss of revenue. Part of this loss was due to the increased rate on circular matter from 1 cent for each 2 ounces to 1½ cents. The actual loss of this increased rate is difficult to gauge. It is notorious that circular mail increases all other classes of mail. A circular letter often induces an order by mail, and all sorts of business and industry are encouraged thereby, with consequent impetus given to the use of the mails. Furthermore, the 2-cent service charge of fourth-class mail matter should be done away with.

Fourth. The increase on second-class mail has had a far from salutary effect upon the publications of newspapers and magazines. The increased rate on carrying of newspapers and magazines was brought about by the war revenue act of 1917. There were provided four progressive increases, and there were set up eight zone rates for advertising matter. In other words, for example, newspapers had to pay larger rates upon nonadvertising matter, and that rate further depended upon the distance the publication was carried. What has happened with these increasing rates? Instead of using the facilities of the post office the publishers are now shipping by freight, by baggage, by truck, by express, and by busses. The Government is charging more than the traffic can bear. The publishers are desirous of having a restoration of 1920 rates. They are not selfish in this desire. They know that the 1920 rates, which would include approximately one-half of the increase of the present rate over the 1917 rate, would bring back into the Postal Service enormous quantities and tonnage of the publications. This would mean greatly increased revenues to the Government. In 1920 the Post Office Department carried on the advertising sections of second-class publications, subject to the zone rate, 599,098,270 pounds; in 1926 the department carried 551,353,779 pounds—a falling off of almost 48,000,000 pounds. This loss is all the more significant when one considers that there was at least a 33½ per cent increase in newspaper size in the period 1920-1925.

Mr. Louis Wiley, business manager of the New York Times, informs me that because of the unfair levy against second-class publications the paper has been compelled to divert approximately \$500,000 a year to baggage, express, and truck service.

All other war-time taxes and increases have been removed. Aside from the Pullman surcharge, the high rates against newspapers still continues.

Jefferson said:

If left to me to decide which we should have, a government without newspapers or newspapers without a government, I should not hesitate for a moment to prefer the latter.

At another time Jefferson said of the press:

Nature has given to man no other means of sifting out the truth, either in religion, law, or politics.

Should not Congress therefore make the publishing and the spread of newspapers easier? It can do it by lessening the postal rates. As far as I am concerned, I shall do all in my power to influence Congress in that direction. Recently we had a fine example of the notable service to the country rendered by the newspapers. I refer to the Nicaragua imbroglio. The newspapers of the country crystallized public opinion against the flip-flop, namby-pamby policy of the State Department. We can trust the newspapers to whip the State Department into line. I verily believe Congress can shut up shop March 4 and rest safe in the thought that the newspapers can keep us out of war. The press is a great engine of democracy. Not only must we keep it free but we must at all times and in all manners aid and foster its growth. We have an opportunity now to render it service by reducing the cost of service furnished it by the Government.

Fifth: However, to my mind the main flaw in our post-office policy is that we demand that Postal Service users exclusively bear the cost of maintenance of those branches of the service which are free or non-profitable. Anyone who licks a stamp in part pays for the many letters a Congressman sends for nothing. Every time you pay the price of sending a newspaper to a friend in a distant city you help pay the losses due to reduced rates on religious and educational mailing matter. When city dwellers send by parcels post they help make up the deficit resulting from Rural Free Delivery Service.

If a man started business every morning knowing that considerable of his receipts must first be paid to schools, to churches, to charity, and to the Government before he can use a penny, he would, if he were wise, close up shop, or if foolish, continue until bankruptcy forced him to close up. Yet that is the situation concerning the Post Office Department.

The Government must be privileged to send out its mail free but the burden should be universally assumed. Not only should users of the mails, but nonusers, also should pay the

The fiscal year for 1926, total weight of all originating mail was 6,563,957,862 pounds. Of this the following was free and, therefore, the cost thereof was assumed by the users of the mails. The free mail represents 2.8667 per cent of total weight.

	Pounds
Total weight all originating mail-----	6,563,957,862
Free matter:	
Penalty-----	109,741,166
Franked-----	5,224,733
Free for blind-----	1,056,570
Free in county (second class)-----	72,148,574
Total-----	188,171,043

Free mail represents 2.8667 per cent of total weight.

The cost of all franked mail for the fiscal year 1926 was \$544,694. The cost of penalty mail in the same year was \$6,576,257. The usual postal revenue on these two classes of mail at the usual postal rate would have been considerable and would have naturally reduced the cost of running the post office. Free to the blind mail matter cost the Government \$62,042 in that same year. The estimated unofficial cost of free in county second-class mail matter in the fiscal year of 1923 was \$8,146,000. The estimated unofficial cost thereof for 1928 is \$10,770,000. In the fiscal year of 1923 the estimated unofficial loss due to preferential rates on religious and scientific periodicals was \$8,734,000. This loss in 1928 it is estimated unofficially will be \$13,270,000. It is estimated in the fiscal year of 1927 the amount of loss due to added rate for carriage of foreign mails by vessels of American register will be, unofficially, \$1,032,960. To these losses must be added the loss chargeable to public-welfare purposes of the Rural Free Delivery. This loss can not readily be estimated; it is, however, considerable. I therefore am heartily in favor of a bill long advocated by my colleague, Representative JACOBSTEIN, of New York, and now sponsored by Representative KELLY, of Pennsylvania, known as H. R. 13474, which bill is entitled "to declare the future policy of the Post Office Establishment of the United States," and which I set forth in full:

[H. R. 13474, 69th Cong., 2d sess.]

IN THE HOUSE OF REPRESENTATIVES,

December 6, 1926.

Mr. KELLY introduced the following bill; which was referred to the Committee on the Post Office and Post Roads and ordered to be printed:

A bill to declare the future policy of the Post Office Establishment of the United States

Be it enacted, etc., That the Post Office Establishment of the United States is hereby declared to be an agency of the American people for their service and not for profit.

SEC. 2. That compensation of postal employees shall be adequate and just and, together with working conditions, shall be based upon American standards, without regard to postal revenues.

SEC. 3. That postage rates on paid mail matter shall be determined by the cost of the service given such mail matter, exclusive of all free services and public-welfare projects which have been or shall hereafter be adopted in connection with the Postal Service.

SEC. 4. That the amounts expended for the following-named purposes shall not be computed as a charge against postal revenues, but shall be paid from the Treasury of the United States:

(a) Total cost of conveying franked and penalty mail matter, less rental charge at 5 per cent on valuation of all postal quarters owned by the United States Government.

(b) Free to the blind mail matter.

(c) Free in county second-class mail matter.

(d) Amount of loss due to preferential rate on religious, scientific, and other periodicals.

(e) Amount of loss due to added rate for carriage of foreign mail by vessels of American register.

(f) Amount of loss chargeable to public-welfare purpose of the Rural Free Delivery Service, such loss to be computed by subtracting from the total cost of such service the estimated revenues from postage and special service charges on all mail matter originating on such rural free-delivery routes, added to one-half the estimated revenues from postage and special-service charges on all mail matter delivered on such routes.

SEC. 5. That the Postmaster General is hereby directed, in his annual report, to omit the amounts expended for the free services and public-welfare projects as specified in section 4 from the expenditures to be charged against postal revenues and to set forth the surplus or deficit from postal operations during the preceding fiscal year without the inclusion of such free services and public-welfare projects.

LEAVE OF ABSENCE

By unanimous consent, Mr. CRAMTON was granted leave, indefinitely, on account of illness.

ADJOURNMENT

Mr. FUNK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 2, 1927, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Wednesday, February 2, 1927, as reported to the floor leader by clerks of the several committees.

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To amend the Federal farm loan act (H. R. 15540).

COMMITTEE ON MINES AND MINING

(10.30 a. m.)

To amend an act entitled "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes" approved March 2, 1919, as amended (S. 3641).

COMMITTEE ON THE POST OFFICE AND POST ROADS

(10.30 a. m.)

To declare the future policy of the Post Office Establishment of the United States (H. R. 13474).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10.30 a. m.)

To provide for the acquisition of a site and the construction thereon of a fireproof office building or buildings for the House of Representatives (H. R. 9009).

SCHEDULED FOR THURSDAY, FEBRUARY 3, 1927

COMMITTEE ON PATENTS

(10.30 a. m.)

To amend sections 57 and 61 of the act entitled "An act to amend and consolidate the acts respecting copyright," approved March 4, 1909 (H. R. 16548).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

917. A communication from the President of the United States, transmitting draft of proposed legislation to extend the availability of the unexpended balance of the appropriation of \$100,000 carried in the second deficiency act approved July 3, 1926, to enable the Chief Executive to continue the litigation to cancel certain leases of oil lands and incidental contracts, and for other purposes (H. Doc. No. 675); to the Committee on Appropriations and ordered to be printed.

918. A letter from the president of the Washington Railway & Electric Co., transmitting report of the City & Suburban Railway of Washington for 10 months ended October 31, 1926; to the Committee on the District of Columbia.

919. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Georgetown & Tenallytown Railway Co. for the 10 months ended October 31, 1926; to the Committee on the District of Columbia.

920. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Interurban Railroad Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

921. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

922. A letter from the president of the Georgetown Gas Light Co., transmitting detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders, for the year ended December 31, 1926; to the Committee on the District of Columbia.

923. A letter from the president of the Capital Traction Co., transmitting report of the Capital Traction Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

924. A letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ended December 31, 1926; to the Committee on the District of Columbia.

925. A letter from the president of the Washington Gas Light Co., transmitting a detailed statement of the business of the Washington Gas Light Co., with a list of its stockholders, for the year ended December 31, 1926; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 405. A resolution providing for the consideration of H. R. 15474, a bill to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities; without amendment (Rept. No. 1907). Referred to the House Calendar.

Mr. MACGREGOR: Committee on Accounts. H. Res. 350. A resolution to assist committee investigating government of the District of Columbia (Rept. No. 1908). Ordered to be printed.

Mr. DICKINSON of Iowa: Committee on Appropriations. H. R. 16863. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes; without amendment (Rept. No. 1909). Referred to the Committee of the Whole House on the state of the Union.

Mr. PHILLIPS: Committee on Interstate and Foreign Commerce. H. R. 13485. A bill granting the consent of Congress to the Chesapeake Bay Bridge Co. to construct a bridge across the Chesapeake Bay, from a point in Baltimore County to a point in Kent County, in the State of Maryland; with an amendment (Rept. No. 1910). Referred to the House Calendar.

Mr. PORTER: Committee on Foreign Affairs. H. Con. Res. 43. A concurrent resolution requesting the President to propose the calling of a third Hague conference for the codification of international law; without amendment (Rept. No. 1916). Referred to the House Calendar.

Mr. HOGG: Committee on the Post Office and Post Roads. H. R. 15905. A bill to authorize the Postmaster General to cancel a certain screen-wagon contract, and for other purposes; without amendment (Rept. No. 1917). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MORROW: Committee on Claims. S. 70. An act for the relief of Charles A. Mayo, T. S. Taylor, and Frank Hickey; with an amendment (Rept. No. 1911). Referred to the Committee of the Whole House.

Mr. WALTERS: Committee on Claims. S. 467. An act for the relief of Joseph B. Tanner; without amendment (Rept. No. 1912). Referred to the Committee of the Whole House.

Mr. WALTERS: Committee on Claims. S. 2242. An act for the relief of Mark J. White; without amendment (Rept. No. 1913). Referred to the Committee of the Whole House.

Mr. VINSON of Kentucky: Committee on Military Affairs. H. R. 15487. A bill to correct the military record of Jordan Kidwell; with amendment (Rept. No. 1914). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 15637. A bill for the relief of David Parrett; without amendment (Rept. No. 1915). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 14996) granting an increase of pension to Elizabeth Mulford, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKINSON of Iowa: A bill (H. R. 16863) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1928, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. DEMPSEY: A bill (H. R. 16864) to amend the immigration act of 1924; to the Committee on Immigration and Naturalization.

By Mr. HOWARD: A bill (H. R. 16865) granting the consent of Congress to Kansas-Nebraska-Dakota Highway Association to construct a toll bridge across the Missouri River between

the States of Nebraska and South Dakota; to the Committee on Interstate and Foreign Commerce.

By Mr. HOGG: A bill (H. R. 16866) to amend paragraph 768 of the tariff act of 1922; to the Committee on Ways and Means.

By Mr. BLOOM: A bill (H. R. 16867) to prevent the radio broadcasters from charging the public for listening in; to the Committee on the Merchant Marine and Fisheries.

By Mr. KIESS: A bill (H. R. 16868) to clarify and amend existing laws relating to the powers and duties of the auditor for the Philippine Islands, and for other purposes; to the Committee on Insular Affairs.

By Mr. WURZBACH: A bill (H. R. 16869) authorizing the Secretary of War to sell 5,157 square feet of the Fort Brown military reservation, Brownsville, Tex.; to the Committee on Military Affairs.

By Mr. ZIHLMAN (by request of the Commissioners of the District of Columbia): A bill (H. R. 16870) to authorize the Commissioners of the District of Columbia to compromise and settle certain suits at law resulting from the subsidence of First Street east, in the District of Columbia, occasioned by the construction of a railroad tunnel under the said street; to the Committee on the District of Columbia.

By Mr. CHRISTOPHERSON: A bill (H. R. 16871) to authorize per capita payments to the Indians of the Crow Creek Reservation, S. Dak.; to the Committee on Indian Affairs.

By Mr. DYER: A bill (H. R. 16872) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes," approved May 25, 1926; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN (by request of the Commissioners of the District of Columbia): A bill (H. R. 16873) to amend an act entitled "An act to create a juvenile court in and for the District of Columbia"; to the Committee on the District of Columbia.

By Mr. ABERNETHY: A bill (H. R. 16874) relating to the admission of candidates to the Naval Academy; to the Committee on Naval Affairs.

By Mr. LETTS: A bill (H. R. 16875) to amend section 11 of an act entitled "An act to limit the immigration of aliens into the United States, and for other purposes," approved May 26, 1924; to the Committee on Immigration and Naturalization.

By Mrs. ROGERS: A bill (H. R. 16876) to amend the World War veterans act, 1924, as amended; to the Committee on World War Veterans' Legislation.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the Legislature of the State of Washington, urging reapportioning of the membership of the House of Representatives; to the Committee on the Census.

Memorial of the Legislature of the State of Oregon, urging Congress to take legislative action in connection with the improvement, extension, and development of the port and harbor facilities of the city of Portland, Oreg.; to the Committee on Rivers and Harbors.

Memorial of the Legislature of the State of New York, showing the results of question No. 1, in relation to ascertaining the opinion of the people of the State on the prohibition amendment; to the Committee on the Judiciary.

By Mr. THURSTON: Memorial of the Legislature of the State of Iowa, urging enactment of a Federal farm board; to the Committee on Agriculture.

By Mr. CAREW: Memorial of the Legislature of the State of Oregon, investigating the contract for the sale of lumber by the United States to Fred. Herrick; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 16877) granting a pension to Karl E. Osborn; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 16878) for the relief of Charles A. Evans; to the Committee on Military Affairs.

By Mr. MORROW: A bill (H. R. 16879) granting a pension to William Rose; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 16880) granting an increase of pension to Frances E. Arie; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 16881) granting an increase of pension to Eva M. Tobin; to the Committee on Invalid Pensions.

By Mr. WURZBACH: A bill (H. R. 16882) granting a pension to Henry J. Steinboemer; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5860. Petition of the Farmer-Labor State Conference of Minnesota, held in St. Paul, January 17 and 18, 1927, favoring the enactment of such legislation on the part of Congress that will restrict the activities of professional speculators in food products, especially wheat; to the Committee on Agriculture.

5861. Petition of the State Conference of Farmer-Labor and other progressive forces of Minnesota, held at St. Paul on the 18th of January, 1927, protesting against course of the State Department, and petition Congress to impeach Frank B. Kellogg for violation of his official trust; to the Committee on Foreign Affairs.

5862. By Mr. AYRES: Petition of citizens of Canton, McPherson County, Kans., in behalf of pension legislation for Civil War veterans and widows; to the Committee on Invalid Pensions.

5863. By Mr. CHINDELOM: Petition of Mrs. Elizabeth Bane, Evanston, Ill., and 72 other citizens of the State of Illinois, urging passage of a bill granting increase of pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5864. By Mr. CANNON: Petition of E. E. Updike and 27 others, opposing the passage of House bill 10311; to the Committee on the District of Columbia.

5865. By Mr. CHINDELOM: Petition of Ellen E. Barton and four other citizens of Highland Park, Ill., urging passage of a bill granting increases of pension to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5866. By Mr. CURRY: Petition of residents of Sacramento, Calif., against compulsory Sunday observance; to the Committee on the District of Columbia.

5867. Also, petition of residents of third California district, urging immediate steps be taken to bring to a vote a Civil War pension bill; to the Committee on Invalid Pensions.

5868. By Mr. DAVENPORT: Petition of residents of Rome, N. Y., favoring the enactment of pending legislation increasing pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5869. By Mr. DEMPSEY: Petition of citizens of La Salle, N. Y., urging passage of Civil War pension bill for relief of veterans and widows; to the Committee on Invalid Pensions.

5870. By Mr. DOWELL: Petition of citizens of Melcher, Iowa, urging enactment of legislation increasing pensions of veterans of Civil War and widows of veterans; to the Committee on Invalid Pensions.

5871. By Mr. GARDNER of Indiana: Petition of Fred Samm and 28 other citizens of New Albany, Floyd County, Ind., opposing the passage of the compulsory Sunday observance bill (H. R. 10311); to the Committee on the District of Columbia.

5872. By Mr. GIBSON: Petition of citizens of Royalton, Vt., urging legislation for relief of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5873. Also, petition of citizens of Woodbury, Vt., favoring legislation for the relief of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5874. By Mr. HAUGEN: Petition of 45 voters of Randall, Iowa, urging that immediate steps be taken to bring to a vote a Civil War pension bill for the relief of suffering veterans and widows of veterans; to the Committee on Invalid Pensions.

5875. By Mr. HICKEY: Petition of Mrs. H. C. Cummings and other citizens of La Porte, Ind., urging the passage of a bill increasing the pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5876. By Mr. HOWARD: Petition in behalf of Mr. L. Stolpe and 40 others, of Obert, Nebr., protesting against the Reed amendments to the immigration restriction law; to the Committee on Immigration and Naturalization.

5877. By Mr. HUDSON: Petition of citizens of the sixth congressional district of Michigan, urging relief for the veterans of the Civil War and widows and a greater pension; to the Committee on Invalid Pensions.

5878. Also, petition of citizens of Flint, Mich., urging the passage of House bill 10311, known as the Sunday rest bill; to the Committee on the District of Columbia.

5879. By Mr. JOHNSON of Washington: Petition of citizens of the State of Washington in opposition to the Sunday observance legislation; to the Committee on the District of Columbia.

5880. Also, petition of citizens of Vaughn, Wash., in re-increased pensions for veterans of the Civil War; to the Committee on Invalid Pensions.

5881. By Mr. KINDRED: Petition of the College Women's Club of Jackson Heights, Long Island, N. Y., expressing its approval of the World Court resolution as passed last year by the United States Senate and urging the United States Congress to adhere to this resolution; to the Committee on Foreign Affairs.

5882. By Mr. LOZIER: Petition of numerous citizens of Trenton, Mo., petitioning Congress to enact certain proposed pension legislation; to the Committee on Invalid Pensions.

5883. Also, petition of numerous citizens of Brookfield, Mo., petitioning Congress to enact certain proposed pension legislation; to the Committee on Invalid Pensions.

5884. Also, petition of numerous citizens of Galt, Mo., petitioning Congress to enact certain proposed pension legislation; to the Committee on Invalid Pensions.

5885. By Mr. McLAUGHLIN of Michigan: Petitions of Mrs. Olive Eddlemen and citizens of Chase, Mich., for the enactment of pending legislation providing increase of pensions of veterans of the Civil War and widows of veterans; also Mrs. R. B. Gannon and citizens of Marilla, Mich., for the enactment of pending legislation providing increase of pensions of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5886. By Mr. MAGEE of New York: Petitions of residents of Syracuse, N. Y., in favor of House bill 13450, providing increased pensions for veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

5887. By Mr. MAGRADY: Petition of numerous citizens of Mount Carmel, Northumberland County, Pa., urging the early enactment of Civil War pension bill providing pensions and increase of pensions for veterans and widows; to the Committee on Invalid Pensions.

5888. Also, petition of numerous citizens of Berwick, Columbia County, Pa., urging the early enactment of Civil War pension bill providing pensions and increase of pensions for veterans and widows; to the Committee on Invalid Pensions.

5889. By Mr. MAPES: Petition of 32 citizens of Grand Rapids, Mich., advocating the enactment by Congress of additional legislation for the benefit of veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5890. By Mr. MARTIN of Massachusetts: Petition of citizens of Fall River, Mass., urging early enactment of legislation increasing pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5891. By Mr. MILLIGAN: Petition of citizens of De Kalb County, Mo., urging consideration of the Civil War pension bill; to the Committee on Invalid Pensions.

5892. By Mr. MORROW: Petition of citizens of Dexter, N. Mex., indorsing Civil War veterans' and widows legislation; to the Committee on Invalid Pensions.

5893. Also, petition of citizens of Mountainair, N. Mex., indorsing legislation for Civil War veterans and widows; to the Committee on Invalid Pensions.

5894. Also, petition of citizens of Farmington, N. Mex., pleading for peace with Mexico and Latin-American Republics; to the Committee on Foreign Affairs.

5895. By Mr. MURPHY: Petition by residents of East Liverpool, Ohio, favoring the enactment of Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

5896. Also, resolution by the United Presbyterian congregation of Cadiz, Ohio, favoring the enactment of Sunday rest bill for the District of Columbia (H. R. 10311); to the Committee on the District of Columbia.

5897. Also, petition by voters of East Liverpool, Ohio, urging that legislation be enacted offering relief to the veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5898. By Mr. NEWTON of Minnesota: Resolution by the Central Labor Union of Minneapolis, calling upon the Government of the United States to withdraw the armed forces from Nicaragua and negotiate by peaceful means the settlement of all problems with Mexico; to the Committee on Foreign Affairs.

5899. By Mr. OLDFIELD: Petition of citizens of Prairie County, Ark., urging the passage of House bill 13450; to the Committee on Invalid Pensions.

5900. By Mrs. ROGERS: Petition of Phyllis I. Duval and 100 other citizens of Lowell, Mass., to extend further relief to veterans and widows of veterans of the Civil War; to the Committee on Invalid Pensions.

5901. By Mr. ROWBOTTOM: Petition of Missouri J. Barr, J. E. Fisher, and others, of Evansville, Ind., that the bill granting an increase of pension to Civil War widows be enacted into law at this session of Congress; to the Committee on Invalid Pensions.

5902. By Mr. SHREVE: Petition from citizens of Erie, Pa., for the passage of the pension bill granting increase in pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5903. Also, petition from citizens of Conneautville, for the passage of the pension bill granting increase in pensions to Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5904. By Mr. SINNOTT: Petition of certain citizens of Milton, Oreg., requesting further relief for veterans of the Civil War and widows of veterans; to the Committee on Invalid Pensions.

5905. By Mr. STRONG of Kansas: Petition of citizens of Abilene, Kans., urging passage of legislation providing increase of pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5906. Also, petition of voters of Salina, Kans., urging passage of legislation providing increase of pensions for Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5907. By Mr. STRONG of Pennsylvania: Petition of citizens of Indiana, Pa., praying for immediate passage of a pension bill for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5908. By Mr. SUMMERS of Washington: Petition signed by H. C. Hood and 27 others, of Garfield, Wash., urging early action on the Civil War pension bill now pending; to the Committee on Invalid Pensions.

5909. By Mr. SWARTZ: Petition of Anzella Dodd, Charles A. Long, and others of Dauphin County, Pa., favoring pension legislation for the relief of veterans of the Civil War and widows of veterans of said war; to the Committee on Invalid Pensions.

5910. Also, petition of William F. Conner, Emma Crumm, and others, of Harrisburg, Pa., favoring pension legislation for the relief of veterans of the Civil War and widows of said war; to the Committee on Invalid Pensions.

5911. Also, petition of William F. Thompson and others of Camp Hill, Pa., favoring Civil War pension legislation; to the Committee on Invalid Pensions.

5912. By Mr. THATCHER: Petition of Marah Green of Louisville, Ky., for early enactment of legislation for the relief of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5913. By Mr. THOMPSON: Memorial of 50 citizens of Putnam County, Ohio, urging a bill to increase rates of Civil War pensions; to the Committee on Invalid Pensions.

5914. By Mr. THURSTON: Petition of citizens of Lorimer, Union County, Iowa, relating to the political situation in Mexico and Nicaragua; to the Committee on Foreign Affairs.

5915. By Mr. TOLLEY: Petition of 56 citizens of Binghampton and Johnson City, N. Y., for liberalization of the Civil War pension laws; to the Committee on Invalid Pensions.

5916. By Mr. WEAVER: Petition of citizens of Henderson County, N. C., in regard to pensions of Civil War veterans and widows of veterans; to the Committee on Invalid Pensions.

5917. By Mr. ZIHLMAN: Petition of citizens of Brunswick, Md., urging immediate action and support of the Civil War pension bill to afford relief to needy veterans and widows of veterans; to the Committee on Invalid Pensions.

SENATE

WEDNESDAY, February 2, 1927

(Legislative day of Tuesday, February 1, 1927)

The Senate reassembled at 12 o'clock meridian, on the expiration of the recess.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names: